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UNIVERSITY OF ALBERTA

POLICY IMPLEMENTATION PROCESS AT THE UNIVERSITY OF ALBERTA
A CASE STUDY

©

BY

JANINA MARIE VANDERPOST

A THESIS
SUBMITTED TO THE FACULTY OF GRADUATE STUDIES AND RESEARCH
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For my mother and father
Joyce and Frederick Vanderpost,
and my brother John Vanderpost

ABSTRACT

The purpose of this study was to investigate the process of implementing employment equity policy at the University of Alberta, in response to requirements of the Federal Contractors Program.

The study's conceptual framework was developed from literature suggesting that successful policy implementation strategies must take into consideration the context in which implementation occurs. The framework proposed that both the policy itself and the environment influence the implementation process and that effective implementation strategies must be contingent upon conditions and issues arising from elements of the policy and contextual factors.

A case study approach was employed because the investigation was concerned with the implementation of one policy within a single setting, and because of convincing evidence of the utility of this approach for examining single systems. Qualitative research methods were used in view of the primary focus on process and context. A major interest was in understanding phenomena from the perspective of persons involved and the meanings and interpretations which they gave to events that took place.

Principal sources of data were focused interviews with key informants and a large variety of documents including reports, studies, policy manuals, meeting minutes, correspondence and media articles. Federal Contractors Program policy elements examined for their influence on implementation included purpose, objectives, requirements, resources, communication, and enforcement. From the implementation environment, contextual factors considered were historical context, climate, governance, resources and leadership.

The study found that disagreement with the purpose and objectives of the policy, its resource implications and the absence of timelines for the development of an employment equity plan mitigated against policy implementation. On the other hand, the threat of sanctions, as lost opportunities to bid on federal contracts, served as the major

impetus for the University's original agreement to comply with the federal initiative. Within the University context, confusion over the roles and responsibilities of various administrative bodies, the inappropriate assignment of implementation responsibilities, the insufficient allocation of resources and the lack of leadership from central and other senior administrators primarily were responsible for the failure of the University, as of June, 1991, to have an employment equity plan in place.

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I would like to extend my sincere appreciation to Dr. Al MacKay, my advisor, for his encouragement, guidance and wise counsel throughout this project. I am most thankful also for the advice and assistance provided by other members of my advisory committee, Dr. Margaret Haughey and Dr. Don Richards.

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Finally, to the academic women of the University of Alberta whose courage and steadfastness have brought the goals of equality and fairness closer to reality both in the academy and in the larger society, I express my deep regard.

TABLE OF CONTENTS

PAGE

LIST OF TABLES vii

LIST OF FIGURES viii

CHAPTER

1 OVERVIEW 1

  Background 1

  Purpose of the Study and Research Questions 3

  Theoretical and Practical Significance 5

  Research Design and Methodology 8

  Delimitations 10

  Limitations 11

  Organization of the Thesis 11

2 LITERATURE REVIEW 13

  Employment Equity 13

    Labour Force Segregation 13

      Canadian Labour Force 13

      Theories of Labour Force Segregation 15

      Academic Women in Canada 18

    Discrimination and Affirmative Action 20

      Discrimination 21

      Systemic Discrimination 23

    Affirmative Action/Employment Equity 24

    Employment Equity - Legislative and Policy Framework 26

  Policy Implementation 27

  Conceptual Framework 36

Policy Structure 38

Implementation Environment 42

Leadership 43

Climate 44

Organizational Structure and Governance 46

Culture 49

Resources 50

History 51

3 METHODOLOGY 52

Theoretical Considerations 52

Naturalistic Versus Rationalistic Inquiry 52

Qualitative Versus Quantitative Research 55

Methodological Considerations 57

Methodological Issues in Qualitative Research 57

Case Study 61

Content Analysis 65

Research Design 66

Data Collection and Data Analysis 69

Key Informant Interviews 70

Documentary Evidence 76

Data Analysis 77

4 FEDERAL CONTRACTORS PROGRAM: THE POLICY AND HISTORICAL CONTEXT 81

Background 81

Federal Contractors Program 82

Federal Contractors Program and the University of Alberta 87

Federal Contractors Program In Other Canadian Universities 95

Historical Context 97

Senate Task Force on the Status of Women: Report on Academic Women 97

Committee for the Systematic Review of the Salary/Rank History of Academic Women 101

Women in Scholarship, Engineering and Science Task Force (WISEST) 103

President's Interim Advisory Committee on Women's Issues 106

Academic Women's Association 110

Task Force on the Status of Academic Women 1987 Progress Review Report 114

5 SPECIAL ADVISOR TO THE PRESIDENT ON MATTERS OF EQUITY 119

Appointment and Mandate 119

Report to Convocation 121

Statement on Equity 122

Workforce Analysis 126

Self-Identification Survey or Census 126

Recruitment Process Forms 130

Workforce Data Bases 135

Study on Temporary Academic Staff 137

Pay Equity 142

Activities with the Federal Government and Other Universities 145

Office of the Equity Advisor to the President 146

6 CLIMATE 151

Campus Correspondence 151

The "Blue Book" 158

The "Blue Book" and Memo 158

The Panel Discussion 165

The "Merit Only" Group 166

The Department of English 169

President's Commission for Equality and Respect on Campus 177

The AAS:UA Brief to the President's Commission for Equality and Respect on Campus 179

The "Demonstrably Better" Clause 188

7 GOVERNANCE 193

Legal Framework for Academic Staff Employment Policies 193

General Faculties Council 199

The Deans and Employment Equity 208

The Association of Academic Staff of the University of Alberta 224

Federal Contractors Program and the Association of Academic Staff 230

Women's Issues Committee - Association of Academic Staff 236

8 LEADERSHIP AND RESOURCES 241

Resources for the Office of the Equity Advisor - Funding, Personnel and Authority 241

Responsibility for the Federal Contractors Program - Equity Advisor and Other Senior Administrators 245

Commitment of Central Administrators - Perspectives of Deans and Other Administrators 248

President's Commission for Equality and Respect on Campus 254

The Office of Human Rights 259

Senior Administrators' Statements on Employment Equity 265

9 DISCUSSION AND CONCLUSIONS 271

Historical Context 272

Provincial Context 273

University Context 274

Policy Structure 278

Federal Contractors Program 279
    Purpose of the Policy 279
    Policy Objectives and Requirements 280
    Communication 281
    Resources 282
    Timelines and Enforcement 284
Implementation Environment 287
  Leadership 287
  Organizational Structure and Governance 295
    Roles and Authority in Relation to Employment Equity 296
    General Faculties Council Employment Equity Policies 299
    Association of Academic Staff of the University of Alberta 302
    Deans 304
    Centralized Versus Decentralized Decision Making 306
  Climate 308
    University Culture 308
    Attitudes Towards Employment Equity 310
    Intraorganizational Political Activity 315
Theoretical Considerations - Conceptual Framework 319
BIBLIOGRAPHY 326
APPENDIX A. FEDERAL CONTRACTORS PROGRAM CERTIFICATE OF COMMITMENT TO IMPLEMENT EMPLOYMENT EQUITY 340
APPENDIX B. FEDERAL CONTRACTORS PROGRAM: INFORMATION FOR SUPPLIERS 342
APPENDIX C. MANDATE OF THE SPECIAL ADVISOR TO THE PRESIDENT ON MATTERS OF EQUITY 346
APPENDIX D. RECRUITMENT PROCESS FORM 348
APPENDIX E. APPLICANT SURVEY FORM 351

APPENDIX F. MARCH 23, 1989 MEMO FROM VICE-PRESIDENT (ACADEMIC) AND PRESIDENT OF ASSOCIATION OF ACADEMIC STAFF .. 353

APPENDIX G. "MERIT ONLY" GROUP MEETING MINUTES 355

APPENDIX H. "MERIT ONLY" GROUP MEETING AGENDA 358

APPENDIX I. PETITION TO UPHOLD UNIVERSITY HIRING REGULATIONS 360

APPENDIX J. MAY 6, 1991 MEMO FROM VICE-PRESIDENT (ACADEMIC) .. 362

APPENDIX K. GENERAL FACULTIES COUNCIL EMPLOYMENT POLICIES 365

APPENDIX L. DEANS' COUNCIL 373

APPENDIX M. JUNE 19, 1991 LETTER FROM PRESIDENT PAUL DAVENPORT 376

APPENDIX N. CHRONOLOGY OF MAJOR EVENTS RELATED TO EMPLOYMENT EQUITY IMPLEMENTATION AT THE UNIVERSITY OF ALBERTA 378

LIST OF TABLES

TABLE PAGE

4.1 Universities Certified Under the Federal Contractors Program as of April, 1991 96

4.2 Full-Time, Regular Academic Staff in Selected Faculties at the University of Alberta as of December 15, 1981 105

4.3 Distribution of University of Alberta Academic Staff by Rank: 1974 and 1986 116

4.4 Distribution of Women Academic Staff in Selected Faculties at the University of Alberta: 1974 and 1986 117

5.1 Self-Identification Survey or Census - University of Alberta, 1988 129

6.1 Highlights of the Recommendations in the Brief of the Association of Academic Staff: University of Alberta to the President's Commission for Equality and Respect 183

LIST OF FIGURES

FIGURE PAGE

2.1 Policy Process Environments 32

2.2 Model Outline for Implementation Process 36

2.3 Policy Implementation Process - Conceptual Framework 39

5.1 Draft Policy Statement on Employment Equity Program for the University of Alberta 124

8.1 Recommendations Associated with the Federal Contractors Program and its Implementation by the President's Commission for Equality and Respect on Campus 257

POLICY IMPLEMENTATION PROCESS AT THE UNIVERSITY OF ALBERTA

A CASE STUDY

CHAPTER 1

OVERVIEW

Background

In March, 1987 the University of Alberta signed a Certificate of Commitment to Implement Employment Equity under the terms of the Federal Contractors Program. This program was introduced by the federal government pursuant to the passage of the Employment Equity Act. Proclaimed on August 13, 1986, the Employment Equity Act was an outcome of continuing public pressure on government to move forward on the matter of employment equity and of earlier federal government commitments to do so. Specifically, the legislation was enacted in response to recommendations in the Report of the Commission on Equality in Employment produced by the Royal Commission headed by Judge Rosalie Abella (Abella, 1984).

The Royal Commission was established by the federal government on June 27, 1983 with a mandate to explore the most efficient, effective and equitable means of promoting equality in employment for members of four groups: women, native people, disabled persons and visible minorities (Abella, 1984, p. v). The terms of reference recognized the need for further government action to encourage, in all sectors, the hiring, training and promotion of these four groups, and the responsibility of the federal government to provide leadership in ensuring the equitable and rational management of Canada's human resources (pp. i-ii).

As a result of its investigations, the Commission concluded that, ideally, every business or corporation should be subject to employment equity legislation just as they were subject to anti-discrimination laws. However, in the absence of such legislation, the Commission concluded that contract compliance was the next best alternative for encouraging employment equity in the private sector, using government purchasing power as the leverage (p. 226). Accordingly, the Commission recommended that:

> In the absence of legislation requiring federally and provincially regulated employers to implement employment equity, the federal government should utilize contract compliance.
>
> Under contract compliance, the government would purchase goods and services only from businesses that agree to implement employment equity.
>
> Contract compliance should be imposed by legislation. (p. 260)

The federal government took these recommendations seriously as evidenced by the June 27, 1985 introduction of Bill C-62 providing for employment equity legislation.

The Employment Equity Act (1986) states that:

> The purpose of this Act is to achieve equality in the work place so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and, in the fulfilment of that goal, to correct conditions of disadvantage ... by giving effect to the principle that employment equity means more than treating persons in the same way but also requires special measures and the accommodation of differences. (Section 2)

The Act requires employers to eliminate systemic discriminatory practices and to institute positive policies and practices and make reasonable accommodations in order that designated group members can achieve representation in positions of employment which are proportionate to their representation in the workforce or:

> (ii) in those segments of the workforce that are identifiable by qualifications, eligibility or geography and from which the employer may reasonably be expected to draw or promote employees. (Section 4)

The Federal Contractors Program is intended "to ensure that federal contractors who do business with the Government of Canada achieve and maintain a fair and representative workforce" (Canada, 1987a). The program requires that corporations who employ 100 or more persons, and who wish to bid on contracts of $200,000 or greater, must commit to implementing employment equity as a condition of having the opportunity to compete for government contracts.

Under the federal program, employers are asked to introduce measures to identify and remove barriers to the selection, hiring, promotion and training of members of the designated groups, and to improve the employment status of group members within their organizations. In addition, employers are expected to introduce special measures, accompanied by goals and timetables, intended to increase the representation of the groups within the organizational workforce.

Most large research universities in Canada, including the University of Alberta, have signed a Certificate of Commitment by which they have agreed to develop an employment equity plan in accordance with federal government criteria. Many universities are in the process of developing such plans and a few already have completed them. As of June, 1991, the University of Alberta had not yet completed an employment equity plan, although considerable activity towards that goal had taken place in the intervening period since March, 1987.

Purpose of the Study and Research Questions

The purpose of this study was to investigate the response of the University of Alberta to the Federal Contractors Program with the aim of advancing knowledge and understanding about the process of implementing an inter-agency policy within a complex organization and, more generally, to add to the existing body of information about the policy implementation process.

Specifically, the purpose was to undertake a qualitative examination of what took place at the University in order to address the requirements of the federal program; in other words, the study sought to describe and explain what happened, how and why it happened and what were the consequences. The intention was to seek out the attitudes, beliefs and perceptions of various institutional stakeholders, in addition to exploring actual decisions reached, actions undertaken and strategies deployed, in order to develop a more comprehensive description and analysis of what transpired, and to provide enlightenment as to potential reasons for the relative successes and failures of various implementation initiatives.

A second major purpose was to attempt to advance theoretical knowledge on policy implementation through illustrating the importance not only of the policy situation or context but also of the contingency aspect, or the idea that effective implementation strategies must be based on the needs, requirements and problems arising from the policy itself and from the implementation environment. In order to achieve this purpose, a conceptual framework or model was developed based on the literature, and the utility of this model, for structuring the investigation, guiding the collection and analysis of the data and providing useful insights and understandings concerning implementation as a process, was assessed.

In view of the exploratory nature of this study and the prior knowledge that lines of questioning would need to evolve as the study progressed and new information emerged, it was not possible to establish research questions in advance of actually carrying out the study other than general questions based on the overall purpose, including the following:

> What factors influenced the process of implementing the Federal Contractors Program at the University of Alberta?
>
> In what manner and to what extent did these factors influenced the process?
>
> What were some of the needs, requirements and problems associated with the policy itself and the implementation context? In other words, what were some of the implementation issues?
>
> What decisions, actions and strategies were undertaken in relation to the federal program and in response to the implementation issues? What were some possible explanations for these decisions and actions?
>
> In light of factors and issues identified as having an influence on the implementation process, how successful were some of the implementation strategies undertaken, what were some reasons for the relative successes and failures of these strategies, and what were the consequences of these outcomes?

To what extent was progress made toward the implementation of the Federal Contractors Program at the University of Alberta and why?

Theoretical and Practical Significance

An awareness of the need for more knowledge about policy implementation grew during the 1970s following the limited success in the United States of federally-sponsored policy initiatives to address a variety of social problems and issues and to bring about social reforms. Implementation came to be known as the "missing link" or the "Achilles' heel" of the policy process as stories of the failure of public policies to establish new programs for the "Great Society" accumulated. Concluded Williams at that time (1976, p. 5), "the greatest difficulty in devising better social policies is not in determining what appear to be reasonable policies on paper but in finding the means of converting these policies into viable field operations that correspond reasonably well to specifications."

Delineated in the literature are a variety of models and approaches that have been used to examine and explain the implementation process in an effort to arrive at a better understanding of how policy decisions are transformed into public services. Several writers directed their attention to the identification of variables having an influence on the process with a view to devising the means to direct and control the effects of these variables. Van Horn and Van Meter (1976), as an example, developed a conceptual framework that described a set of attributes, processes and behaviours, organized into eight variable clusters, as a means to facilitate greater understanding of the performance of intergovernmental policy.

Others examined implementation as a more dynamic process, recognizing that the context in which the process takes place is of critical importance, and that "policy could be more effectively carried out if ... implementation strategies were chosen to match the policy situation" (Berman, 1980, p, 221). In reviewing situations in which programmed or adaptive strategies might be used, Berman suggested that an analysis of the policy setting would determine the use of either "preprogrammed implementation procedures ... to be followed by all levels of the organization" or adaptive implementation, in which case "the ideal ... is the establishment of a process that allows policy to be modified, specified, and revised ... according to the unfolding interaction of the policy with its institutional setting" (pp. 210-211).

Other writers suggested approaches whereby assumptions about the organization itself (systems management model, bureaucratic process model, organizational development model, conflict and bargaining model) (Elmore, 1978) or assumptions about the process of policy implementation (classical or technological model, political model, cultural or evolutionary model) (LaRocque, 1986) would determine the type of implementation strategies to employ. "Different organizational models," Elmore remarked, allow us "to be specific about the assumptions we make when we offer prescriptions for improving implementation" (1978, p. 188).

More recent views continue to recognize the importance of the environment or context in which implementation occurs, but the focus has been on the fluid and evolutionary aspects of the process, in recognition of the fact that "implementation problems are never 'solved' but evolve through a multi-staged, iterative process" (McLaughlin, 1987, p. 174). Every implementation action, according to McLaughlin, changes the nature of the policy problems and issues with the result that new requirements and considerations continue to emerge as the process evolves. The challenge for a new generation of analysts, she concluded, is to develop models that accommodate the multi-level, multi-staged complexities of the implementation process.

Policy implementation, as a critical area of investigation, remains as important today as when it first became a major focus of research activity. None of the theoretical approaches or models yet proposed, however, can be considered as providing all of what needs to be known for ensuring implementation success and it remains clear that theory development in this area is still needed. In Schneider's (1982) view, "the field is still quite new and underdeveloped in terms of approaches and conceptual frameworks" (p. 716). McLaughlin also concluded that there continues to be a "conceptual and instrumental challenge to third generation implementation analysts" (1987, p. 177).

From a practical standpoint, the risk of implementation failure continues to have significant implications for governments and other organizations and for society as a whole. The inability of governments and public institutions to realize public policy objectives can mean a lack of achievement of economic and social goals, failure to operationalize programs or bring about social reforms as well as difficulties for individuals who are dependent upon the services or benefits which new policies are supposed to provide. "What is hard to fathom," observed Williams (1976), "is why so little has been done to investigate the process of implementation since that activity is of crucial importance in program operations, policy analysis, and evaluative research, particularly social experiments" (p. 4).

In relation to the present study, the Federal Contractors Program provided an ideal opportunity to investigate a policy implementation situation with several distinguishing and interesting characteristics. First of all, a government-to-agency implementation situation was involved where the government had no direct authority over the agency. Secondly, the policy was one that could be interpreted as crossing jurisdictional boundaries with respect to constitutional responsibilities for education. Finally, the implementing agency was a university, considered by organizational theorists as a complex organization in which governance is characterized to a large extent by decentralized authority, democratic decision making, dynamic processes for the establishment of policies, informal types of power and influence, and political struggles among interest groups in order to influence decision making (Baldridge, Curtis, Ecker, and Riley, 1977; Mintzberg, 1979).

Studies of universities in United States have shown that "ideologies reflective of dominant social values and goals of excellence, accompanied by a strong sense of professionalism, can potentially hinder the implementation" of academic reforms required by federal mandates (Milward, Denhardt, Rucker, and Thomas, 1983, p. 366). Newcombe and Conrad (1981) also reported that federal mandates affecting universities "often have struck at the very core of cultural, social, institutional, and personal values" (p. 555). "The concept of 'academic freedom'," considered Lee and Olswang (1985), "raises questions of academic autonomy ... to make decisions about the future of the institution and the faculty within it" (p. 213).

It was anticipated that the present research would provide practical insights for those at the University of Alberta and, perhaps, other universities who are involved in implementing the federal program, as to what has worked and what has not and possible reasons why. There were aspirations also to make available new theoretical and practical information to researchers, policy analysts and other practitioners who have an interest in or who are engaged in policy implementation activities.

Research Design and Methodology

A case study approach was chosen on the basis that the focus of this investigation was on the implementation of one policy in a single setting. A number of writers have discussed the utility of the case study for the examination of a single system, whether it be an individual, a program, a community or a process. Bogdan and Biklen (1982), for instance, explained that the case study can be applied to "a detailed examination of one setting, or one single subject, or one single depository of documents, or one particular event" (p. 58). "What the case study represents," wrote Yin (1981), is a research strategy ... that attempts to examine ... a contemporary phenomenon in its real-life context" (p. 59).

Qualitative research methods and techniques were employed for several reasons, a primary one being that the study first and foremost was concerned with a process and the context in which that process occurred. Rather than an empirical search for cause and effect relationships, the main interest was in understanding phenomena from the perspective of the persons involved and the meanings and interpretations which they gave to decisions, actions and events; in other words, to how they made sense of what had happened. The study dealt with concepts and definitions as well as with descriptions and explanations of the what, when, how, and why of occurrences. Qualitative methods were used, therefore, to enable "depiction of detail, portrayal of process in the active mode, and attention to the perspective of those studied," with the ultimate aim of providing readers "with a depiction in enough detail" (Firestone, 1987, pp. 19-20) to show that the conclusions reached made sense.

In the manner asserted by Berg (1989) regarding qualitative methods, that "science is defined as a specific and systematic way of discovering and understanding" (p. 9), the approaches taken were scientific. To address issues of reliability and validity, a considerable amount of time was committed to collecting and reviewing large quantities of data "in order to reveal the many dimensions and provide detailed accounts of events" and to reduce the effects of researcher subjectivity on the investigation (Bogdan and Biklen, 1982, p. 42). Efforts were made to reduce interviewer bias by conducting interviews in a way that allowed respondents to express, in their own words, their experiences and perceptions and to raise additional issues or relate other events which they felt were pertinent to the topic at hand. Verbatim transcripts of all the interviews and the liberal use of quotes from interviews and documents were intended to address the view of reliability "as the fit between what ... [is recorded] as data and what actually occurs in the setting under study" (Bogdan and Biklen, 1982, p. 43). Finally, multiple sources of data were sought as a means not only of gaining deeper understandings and insights but also for examining the perceptions of many different actors and cross-checking, verifying and testing data (Owens, 1982, p. 15).

Major sources of evidence consisted of focused interviews with key informants as well as a large variety of documents, including reports, studies, manuals, policy documents, meeting minutes, correspondence, media articles. The focused interview technique was used because it allowed interviews to be guided and directed while at the same time giving "the interviewers sufficient freedom to digress; that is, the interviewers are permitted (in fact expected) to probe far beyond the answers to their prepared ... questions" (Berg, 1989, p. 17). Such interviews allowed considerable latitude for the pursuit of a range of topics and an opportunity for respondents to shape the content (Bogdan and Biklen, 1982, p. 136).

The data were organized and analysed according to the major themes originally set out in the conceptual framework and those that evolved as the study progressed.

Delimitations

Although the Federal Contractors Program is intended to increase the representation of four designated groups, namely women, Native people, disabled persons and visible minority persons within contractor organizations, the present study was limited to an examination of the policy in relation to women employees at the University of Alberta. In fact, while the policy is aimed at improving the employment situation for designated groups in all sectors of the University workforce, both academic and non-academic, this investigation pertained mainly to the situation of academic women.

Furthermore, notwithstanding the University's introduction of pay equity measures for its non-academic staff and the fact that such measures can be considered as part of an employment equity program in the broader sense of the term, pay equity is not a requirement of the Federal Contractors Program. Therefore, although references to the University's pay equity policy have been made in instances where it has had some impact on the implementation the federal program, this analysis was not about pay equity.

Finally, in recognition that the introduction of an employment equity plan at the

University is a continuing process not yet near completion, and in order to bring about closure to the current review, it was necessary to choose a time in in the process beyond which the study would not proceed. The time selected was June, 1991 for the reason that this marked the beginning of a significant new phase in the University of Alberta's response to the contract compliance program.

Limitations

As a qualitative study, the investigation was intended to describe and explain what occurred at the University in relation to the federal policy and to increase awareness and understanding of the implementation process. It was not designed to test hypotheses nor to "prove" anything in a statistical sense; rather, its purpose was to provide the thick description necessary to facilitate comprehensive understandings and to enlighten and inform. As key informants, the persons interviewed were chosen because of their knowledge about or direct experience with the program or because they occupied positions of responsibility for employment policies and practices. They did not comprise a "representative sample" in the quantitative methodological meaning of that term. Finally, as a case study, the results of this investigation cannot be considered generalizable to other situations although there would be merit in taking a similar research approach in other implementation circumstances.

Organization of the Thesis

The first chapter of this thesis provides an overview of the study including background information on the Federal Contractors Program, the purpose of the inquiry and general research questions, the theoretical and practical significance of the study, the research design and methods used, and limitations and delimitations of the endeavour. Chapter 2 provides a brief overview of literature on women in the labour force and on employment equity. The chapter also contains a review of the literature on policy implementation and establishes the theoretical basis for the conceptual framework. Chapter 3 contemplates theoretical foundations of qualitative research, identifies methodological considerations and describes the methods and techniques used to collect and analyse the data. Chapters 4 through 8, which present and analyse the data, are set out in the general sequence outlined in the conceptual framework. Finally, Chapter 9 discusses and provides conclusions on the findings of the study.

CHAPTER 2

LITERATURE REVIEW

Employment Equity

Labour Force Segregation

Canadian Labour Force

It has been well documented that while women's participation in the Canadian labour force has increased significantly from the 1960s to the present time, women have tended to be segregated in a small number of occupational areas characterized by low pay and fewer opportunities for advancement. In 1988, women comprised 44% of the Canadian workforce, as compared to 26.7% in 1961 and 34.4% in 1971 (Canada, 1990a, p. 78). However, fully 57.8% (62.1% in 1961 and 63.3% in 1971), were in sales, service or clerical jobs, with nursing and elementary school teaching being the next largest employers of women (1990a, p. 82). The segregation of women in the labour force occurs not only by industrial sector, called horizontal segregation (Peitchinis, 1989, p. 61), but also within individual occupational areas, or vertical segregation. This latter phenomenon, also termed "compression" (Canada, 1990c), describes "the extent to which women in a given occupational group are primarily to be found at the lower classification levels of the group" (p. 23). For example, fewer women are employed in the primary resources or construction industries and, when they are, they tend to be at the lower levels of the hierarchy, earning lower pay. Statistics Canada (Canada, 1990a) reported that "although the number of women employed has increased substantially, they find themselves mostly concentrated in non-unionized service industries and lower paying occupations" (p. 74). The result is that, on average, women's earnings are less than those of men. In 1989, for instance, among full-year, full-time workers in Canada, women earned 65.8% of the earnings of men (Canada, 1990e, p. 10). This "wage gap," as it is commonly called, has narrowed only gradually over the last few years from 58.4% in 1967 (Canada, 1988a, p. 13) to 63.5% in 1979 and 65.8% in 1989 (Canada, 1990e, p.10).

The circumstances described, documented in numerous studies not only in Canada but around the world, existed not only in past years but continue to be in evidence today. Armstrong and Armstrong's (1984) book on the segregated work of women, for example, stressed that while women's rate of labour force participation has changed, the nature of women's work has not (p. 202). "In Canada today," they reported, "there is still women's work and men's work; furthermore, women's work has changed little over the last forty years" (p. 201). Greenglass (1982, p. 178), in remarking that even professional and technical occupations tend to be classed as men's or women's jobs, observed that most elementary school teachers, dental hygienists, librarians and dieticians were women and that university teachers, doctors, lawyers and engineers were still mostly men. She went on to say that:

> A perusal of the employment picture for men and women reveals that in every occupational and professional sphere, women generally occupy lower status positions, exert less power and control, and, for the most part, are not represented in positions where major decision making takes place (Greenglass, 1982, p. 182)

More recent studies show that while some changes have taken place, job segregation and the wage gap remain persistent problems in the Canadian labour force. Noteworthy are the transformations occurring in several professions as more women enrol in degree programs in medicine, law, dentistry, pharmacy and even engineering. Of professional degrees granted in 1971 by Canadian universities, in law, engineering, dentistry, and medicine, 9.4%, 1.2%, 4.3%, and 12.8% respectively were awarded to women. By 1987, the percentage of women receiving these same degrees had risen to 46.7%, 12.2%, 30.7%, and 41.7% respectively (Canada, 1990a, p. 55). In other disciplines, such as commerce, economics and business administration, the numbers of women also have grown in the last two decades. Nevertheless, as the Canadian Advisory

Council on the Status of Women has pointed out, despite the greater number of women in professional and managerial positions, these jobs constitute only a fraction of all jobs and "do not represent a realistic route to occupational advancement for most women--and certainly not for working poor women" (Gunderson, Muszynski, and Keck, 1990, p. 96).

In a late 1980s study of the federal public service, Peitchinis (1989) found that opportunities for women to reach higher occupational levels were not as numerous as might have been expected given the federal government's expressed commitment, since the early 1980s, to implement affirmative action. He reported that:

> Although there is evidence of increasing participation by women in activities at the middle levels of the decision-making process, which gives the impression of change from their long-standing predominance in secretarial and clerical activities, they seem to remain at the middle levels. As one moves higher and higher up the administrative hierarchy, women become fewer and fewer. (p. 71)

Similarly, a more recent review (Canada, 1990c, p. 38) showed that three quarters of women federal public employees were located in four of a total of 72 occupational groups, with fully 44% situated in the clerical/regulatory group. "In almost all the occupational groups," it was disclosed, "the majority of women occupy the lower levels" (1990c, p. 38). Also, while the promotions of some women to higher ranks were easing the condition of compression, "the rate of improvement is very slow."

Theories of Labour Force Segregation

Although a variety of theories have been proposed to explain the evolution and continuation, even today, of gender-based segregation in the labour force, a comprehensive review of that literature is beyond the scope of this study. As Armstrong (1985) wrote for her own book:

> Feminists have led the way in the theoretical and empirical work on the sexual division of labour.... The approaches considered ... however, have expanded enormously in the last two decades and cover a wide range of disciplines and paradigms that are impossible to discuss here. (p. 21)

Therefore, the following brief overview of major conceptual approaches is intended only to provide some theoretical background for understanding the employment situation for women in Canadian universities today.

One conceptual approach for explaining labour force segregation is referred to as biological determinism. This approach proposes that because men and women are biologically distinct, it follows that they have "natural" differences in talents, abilities and aptitudes and, hence, are genetically predisposed to assume discrete roles and perform separate tasks within the family, workplace and society (Armstrong and Armstrong, 1984, p. 16; Fausto-Sterling, 1985, pp. 3-7). Labour force segregation evolved, according to this theory, because women were presumed to be "naturally" more suited for certain tasks within the family, particularly the nurturing of family members, and hence were assigned to similar types of nurturing and service roles (e.g. nursing, teaching and secretarial) once they entered the workforce. In other words, patterns in the domestic sphere were reproduced in the external world of work.

"Anatomy as destiny" beliefs have continued to influence judgements about the suitability of women for certain activities and careers. In the late 19th and early 20th centuries, for instance, those arguing against the entry of women into universities voiced concerns that too much intellectual activity would cause harm to women's reproductive capacities (Sayers, 1982, p.18). Today still, women's access to many occupations frequently is limited by the particular views and attitudes of decision makers about appropriate roles for women.

Ideology or idealism constitutes another framework for analyzing gender segregation in the labour force. According to the idealist paradigm, the dominant ideas and values of a society are taught to children through a socialization process. These ideas, transmitted through schooling, books and the media, as well as through the attitudes of family and friends, encourage male and female children to think and behave differently and to develop different expectations and goals (Robinson and Salamon, 1987, p. 123). Socialization affects children's ideas and attitudes about what are appropriate roles for men and women and influences, in later years, their educational and occupational choices. "Segregated labour," therefore, "results from what children learn about femininity and masculinity" (Armstrong and Armstrong, 1984, p.127).

The power of a dominant ideology is such that, even in the face of overwhelmingly contradictory evidence, people continue to embrace certain tenets. Studies of the attitudes and aspirations of high school girls revealed that many still believe they will be in the workforce for a short period only, until they get married and have children (Baker, 1985). Many employers also view women's connection to the workforce as temporary, believing their true commitment to be to home and family. As a consequence, notions persist that women prefer part-time work and are not interested in assuming higher level responsibilities or in being promoted. There are perceptions also that women do not require the same wages as men because they are not primary breadwinners responsible for the well-being of their families (Greenglass, 1982, pp. 197-201; Peitchinis, 1989, pp. 34-37).

Armstrong and Armstrong (1984) cautioned that those attempting to bring about social change in favour of women, by changing the socialization process and promoting new ideas and values, must be aware of who benefits most from the dominant ideology and the forces that can be brought to bear to preserve it. They pointed out that:

> Research ... employing an idealist perspective [has] exposed many of the ideas that help "keep women in their place." But, once people become involved in changing women's situation ... they are increasingly led to explore the structures and powerful interests that play an integral part in maintaining the ideology and division of labour by sex. (p. 134)

Thus a third framework for the analysis of labour force segregation is suggested, referred to by Armstrong and Armstrong (1984, p. 150) as "materialism". This approach posits that dominant economic, political and social groups in society have an interest in maintaining the legitimacy of existing structures and power relations (p. 157). From this perspective, labour force segregation is perpetuated, among other reasons, because of the benefit of women's low wage work to those who own the means of production (p. 153).

Academic Women in Canada

Issues related to the representation and status of academic women in Canadian universities have received increasing attention in the past few years. In 1970, although making no reference to numbers of women faculty, the Royal Commission on the Status of Women in Canada (Canada, 1970, p. 75) reported that for the academic year 1965-66 women university teachers, at every career level, earned less than men even when factors such as age, degree held, rank and field of specialization were held constant.

One of the earliest comprehensive studies of women's representation among university faculty was conducted by Boyd (1979) on behalf of the Association of Universities and Colleges of Canada. She found that most major Canadian universities and many colleges during the 1970s had examined the status of their academic women and that these studies showed that women continued to be in the minority among university and college faculty members. In 1972-73, for example, approximately 13% of full-time teaching staff in Canadian universities were women; by 1977-78 the proportion was 14%. Women were found to be concentrated in the assistant professor and lecturer ranks while the majority of men were at the associate or full professor levels. Also, there were almost no women in engineering, applied science, mathematics or the physical sciences. Finally, even when factors such as rank, highest degree, years since receipt of highest degree, age and field of study were taken into account, salary differentials between men and women continued to be evident.

In 1984, Symons and Page pointed out that despite the dramatic increase in numbers of women university graduates, "there had not been a corresponding increase in the proportion of women in academic employment" (p. 190). By 1980-81, women constituted 15.5% of full-time teaching staff in Canadian universities, a 4.1% increase only since the 1960-61 academic year (1984, pp. 190-193). Like others, Symons and Page found that women occupied the lower academic ranks of lecturer and instructor while men represented the majority of associate and full professors. In their view, "this pattern of female under-representation in the senior academic ranks ... [had not shown] any significant change over the last 20 years" (p. 193). In fact, the number of women at the full professor level in had increased only 0.6% during the period from 1960-61 to 1980-81.

In reference to the large number of studies conducted by universities to determine the nature and extent of sex discrimination within their institutions and to find ways to eliminate it, Symons and Page commented that "what is remarkable is that this spate of studies and recommendations appears to have had such little effect on hiring, promotion, tenure and salary differentials" (1984, p. 199).

The number of women attending Canadian universities has risen markedly (Canada, 1990a, pp. 45-47) such that, by 1987-88, 54% of all university students, including part-time students, were women. In that same year, 55% of undergraduates and 44% of those studying at the graduate level were women. In 1989, women received 55% of bachelor's or first professional degrees, 45% of masters's degrees and 30.4% (738) of doctoral degrees (Canada, 1991, pp. 39-44) awarded that year. Corresponding percentages in 1971 were 38%, 22% and 9% respectively (Canada, 1990a, p. 48).

On the other hand, in a recent report on Teachers in Universities, Statistics Canada (Canada, 1990b) found that by 1986-87, the percentage of women full-time university teachers was 17.6% (up from 15.5% in 1980-81, 12.8% in 1970-71, 11.4% in 1960-61, and 11.0% in 1958-59), representing a gain of 6.6% over 28 years. By rank, in 1986-87, women comprised 6.3% of full professors, 16.4% of associate professors, 29.3% of assistant professors and 45% of the sessional or lecturer appointments (1990b, p. 17).

Reported also was that:

> Overall, the salaries paid to women were lower than those paid to men. A large part of the difference in salaries can be attributed to the concentration

> of women in the lower ranks. However, within each rank the median salary for women was lower than that of men, with the largest difference occurring at the full professor level. (p. 14)

In 1986-87, the median salary of female full professors was $3,253 below that of men at the same rank. Among associate professors, the median salary for women was $2,401 less than for men and, for assistant professors, the differential was $1,334[1] The difference in median salaries overall, for all ranks, was $12,119 (Canada, 1990b, p. 62).

The slow movement of women into higher academic ranks "may be attributable in part to the generally long time lag between entry into university teaching and the attainment of full or associate professor status" (Hollands, 1988, p. 6). Also, some of the overall difference in salary between male and female faculty is attributable to differences in academic rank (p. 7). However, these reasons do not sufficiently explain the parallels between the university workforce and the workforce of the larger society in terms of occupational segregation and wage differences between academic men and women.

Discrimination and Affirmative Action

Whatever the theoretical bases for labour force segregation, discrimination, whether overt or systemic, conscious or unconscious, might be thought of as the practical manifestation of the theory, providing methods and techniques for maintaining the segregation. For example, corresponding to the theories of segregation described briefly above, Peitchinis (1989) wrote:

> That women are discriminated against in employment is incontestable: discrimination occurs in the selection, interviewing, and hiring process, in the assignment of work responsibilities, in promotions and in pay.... Occupational and employment discrimination is founded on three motivations: prejudice, tradition and economic advantage. (pp. 12 & 24)

Gunderson (1985, pp. 4-8) listed, as possible underlying causal motives for discrimination: (a) preferences for or aversions to certain groups, (b) preferences based on erroneous information, (c) concern about job security or promotions on the part of discriminators, (d) preserving psychological well-being by rationalizing past errors rather than changing procedures, (e) minimizing adjustment costs, (f) lowering wage costs by taking advantage of the reduced bargaining power of disadvantaged groups and (g) perpetuating class power.

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[1] Various selection criteria allow for the control of such factors as rank, highest earned degree, field or discipline, experience and sex.

Discrimination

The concept of discrimination has evolved over the last 50 years to the point where "societal notions about the kinds of attitudes and practices that constitute discrimination have gradually become more sophisticated" (Hughes, 1985, p. 224). Hughes cited a number of definitions of discrimination, many taken from statutes or court rulings, which incorporate the notions of distinction, exclusion or preference in relation to a person, based on the group, class or category to which the person belongs, which have the effect of nullifying or impairing the person's rights, freedoms and opportunities (pp. 224-225). The inclusion of the concept of "adverse impact" is significant, Hughes claimed, because of the importance of allowing for "positive discrimination" in order to accommodate the different needs of different groups. She said that "we now believe that 'discrimination'--treating people differently in order to respond to different needs--may be necessary if they are to realize enhanced opportunities."

In the years after the Second World War, governments in Canada gradually became more aware of the inequalities faced by women in the workplace with the result that commitments were made to promote equal rights in employment for all persons. The 1950s marked the beginning of a series of legislative and policy changes throughout Canada designed to provide a legal foundation for eliminating discriminatory practices (Phillips, 1985, p. 51).

In 1955, for example, regulations prohibiting the employment of married women in the Canadian federal public service were removed and, in 1967, the Public Service

Employment Act was amended to prohibit discrimination on the basis of sex (Canada, 1973). Somewhat later, the Canadian Human Rights Act (1977) established prohibited grounds of discrimination and provided for the creation of the Canadian Human Rights Commission to enforce the anti-discriminatory statute and to promote human rights and equality (Phillips, 1985, p. 51-52). Thereafter, all the provinces and both territories also enacted human rights or anti-discrimination legislation (Coates, 1986, p. 8-11).

It was within this environment that the concept of "equal opportunity" emerged during the 1970s as the policy framework for rectifying inequities resulting from discriminatory employment procedures and practices. The notion of equal opportunity was very much in consonance with legal prohibitions against overt discriminatory practices and was founded on the premise that the same rules should apply equally to all persons; stated another way, the concern was about equal treatment. The Office of Equal Opportunities for Women was established in 1971 by the Public Service Commission "as a responsibility centre for stimulating equal opportunities for women in the employment policies, procedures and practices of the Canadian public service" (Canada, 1973).

While these were important steps towards countering individual acts of discrimination in the workplace, soon "it became clear that a second type of discrimination was prevalent.... [and that] entire groups of individuals in comparable situations with comparable qualifications were treated differently" (Phillips, 1985, p. 64). To that time, discrimination had been thought of as comprising overt, isolated acts motivated by ill-will or prejudice. This concept of discrimination focused on "intent" as the problem and on changing attitudes and legal prohibitions as the solutions (Phillips, 1985, p. 65). It was not until the persistence of inequality in the workforce among certain groups became manifestly clear that the idea of intent as the sole explanation for discrimination was relinquished:

> It increasingly became obvious that the bottom line, the social and economic inequities, did not change. This failure to have the desired results led to a significant rethinking in the understanding of the term "discrimination."... It became clear that employment discrimination was a far more complex and

> pervasive phenomenon than was previously understood. Experts ... began to see that some employment practices, while equal in intent and in application, had a disparate effect on minorities and women. (Phillips, 1985, p. 64)

The eventual outcome was that another type of discrimination, called "systemic discrimination," emerged as a significant new concept.

Systemic Discrimination

Systemic discrimination refers to employment policies and practices which, rather than intentionally, "unwittingly" perpetuate past discrimination and maintain the status quo (Phillips, 1985, p. 64). Not necessarily the result of conscious attempts to exclude certain groups, systemic discrimination:

> Refers to any employment system or practice that, while equitable in intent and in application, has a differential and negative impact on women and minorities.... Women and minorities are frequently screened out ... because current employment standards reflect the characteristics possessed by those groups who have always filled the positions in the past. (pp. 64-65)

Gunderson (1985, p. 8) described systemic discrimination as discrimination which is "inherent" in the system, and which is "somewhat independent" of the underlying motivations of the system members. For example, the fact that an employer may take advantage of the fewer alternatives minority workers have in order to pay them lower wages could be considered as systemic discrimination. Systemic discrimination arises also from the application of qualification criteria that have little or no relevance to the particular demands of the job, such as unnecessary height, education or experiential requirements, as well as from practices such as word-of-mouth recruitment (p. 8-9). It can occur also in the absence of policies, practices and services to accommodate the different needs of various groups, such as child care facilities, maternity leaves or wheelchair accessible buildings.

These illustrations, which suggest that the central issue relative to systemic discrimination is the impact, rather than the intent of certain practices, are augmented by the definitions of others. The federal government (Canada, 1982, p. 41), for instance, proposed that the "concept of systemic discrimination.... [concerns an] approach [which] identifies discrimination in the workplace in terms of the impact of employment practices on the employment of target groups." Similarly, Abella (1984) wrote that the systemic approach:

> 'dentifies discrimination in the workplace in terms of the impact of employment practices on the employment opportunities of designated group members. The impact, rather than the intention behind behaviour or employment practices, is what defines systemic discrimination. (p. 193)

Gunderson (1985) concluded that because of the complex nature of systemic discrimination, or "cumulative causality" as he called it, and the elusiveness of its causes:

> The search becomes not so much for the ultimate cause; that does not matter since once discrimination gets started it develops a life of its own. Rather the search becomes more for solutions that will reverse the process; once reversed, the problem will take care of itself. (p. 9)

He explained further that once policies are in place to change an organization's employment practices, the cumulative effects of role models being established, stereotypes breaking down and self-confidence being built will result, over time, in the elimination of systemic barriers within the agency:

> In that vein, programs such as affirmative action become more attractive because they do not concern themselves so much with what caused the problem but rather with rectifying the problem that ... seems to be an inherent part of the system. Once the [former trends are] reversed, then the need for affirmative action or any other compensatory program will "whither away." (p. 8)

Affirmative Action/Employment Equity

Gunderson described affirmative action as a more positive or active form of intervention as compared to equal opportunity policies which tend to focus on the removal of discriminatory barriers and the equal application of rules. Affirmative action takes a "more deliberate and structured approach" toward the achievement of results which may involve the specification of targets or quotas and the establishment of measurable and significant goals and timetables (1985, p. 15).

The term affirmative action is more commonly associated with programs in the United States and is understood by many people as meaning the imposition of hiring quotas and the employment of unqualified people. As such, the Royal Commission on Equality in Employment (Abella, 1984, p. 7) first coined the phrase "employment equity," in part, to avoid the "overwhelmingly negative emotional responses" which the expression affirmative action frequently produces, and to allow discussions on positive steps for the workplace "to unfold on a more reasonable level" (pp. 6-7).

The terms affirmative action and employment equity, nevertheless, are used interchangeably by some who believe they mean essentially the same thing. But others are of the view that employment equity refers to a broader range of activities and measures, among which affirmative action is only one. There appear to be no standard or universally accepted definitions of affirmative action or employment equity. Instead, various government departments and other agencies have developed their own working definitions.

Affirmative action has been described as "a comprehensive planning process adopted by an employer to: identify and remove discrimination in employment policies and practices; remedy effects of past discrimination through special measures; and ensure appropriate representation of target groups throughout the organization" (Canada, 1982, p. 11). In other words, it is a "process for eliminating systemically induced inequities and redressing historic patterns of employment disadvantage suffered by members of target groups" (p. 41).

The Ontario Working Group on Employment Equity described affirmative action as meaning "special programs to hire, promote, and train target group members faster than other workers to make up for past inequities" (Ontario, 1989. p. 10). This same Working Group suggested that "employment equity can be defined as a comprehensive process adopted to ensure equitable representation of designated groups throughout the workplace and to remedy and prevent the effects of intentional and systemic discrimination" (p. 1).

Employment Equity - Legislative and Policy Framework

In describing what is meant by equality, Abella (1984) stated that "it is, at the very least, freedom from adverse discrimination" (p. 1). She emphasized also that it is to ensure, too, that the vestiges of arbitrary restrictions do not continue to play a role in our society.

In reference to employment, it was Abella's view that equality means that no one is denied opportunities for reasons which are not related to ability and that individuals should have equal access, free from arbitrary barriers whether intentional or systemic. Put another way, she said "equality in employment is access to the fullest opportunity to exercise individual potential" (p. 3). In relation to this, she pointed out that equality does not necessarily mean treating people the same way:

> Sometimes equality means treating people the same, despite their differences, and sometimes it means treating them as equals by accommodating their differences. Formerly, we thought ... that treating people as equals meant treating everyone the same. We now know that to treat everyone the same may be to offend the notion of equality. Ignoring differences may be to ignore legitimate needs.... [and] refusing to accommodate them is a denial of equal access and opportunity. (p. 3)

Today, in Canada, the legislative and public policy framework relating to employment equity comprises sections of the Charter of Rights and Freedoms (1982), federal, provincial and territorial human rights codes which set out anti-discrimination provisions and which allow for affirmative action or "special programs", and the federal government's Employment Equity Act (1986).

Section 15(2) of the Charter allows for "any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups." Similarly, the Canadian Human Rights Act (1977) states, in Section 15(1):

> It is not a discriminatory practice for a person to adopt or carry out a special program, plan or arrangement designed to prevent disadvantages that are likely to be suffered by, or to eliminate or reduce disadvantages that are suffered by any group of individuals ... by improving opportunities respecting goods, services, facilities, accommodation or employment in relation to that group.

In Alberta, the Individual's Rights Protection Act was amended in 1985 to allow for special programs (Section 11(a)), thus bringing into conformity with Section 15(2) of the Charter of Rights and Freedoms. Further, the Supreme Court of Canada, particularly in its ruling in the case Action Travail des Femmes v. C.N.R. Co. (1988), has endorsed the concept and application of employment equity.

Policy Implementation

According to Dunn (1981):

> Policy analysis is an applied social science discipline which uses multiple methods of inquiry and argument to produce and transform policy-relevant information that may be utilized in political settings to resolve policy problems. (p. 35)

Dunn emphasized that policy analysis is a "process of inquiry" (p. 3) for producing knowledge "of" and "in" policy processes (p. 7) rather than a collection of tools and techniques for solving public problems (p. 3). Policy processes as defined by Dunn (1981) are "the administrative, organizational, and political activities and attitudes that shape the transformation of policy inputs into outputs and impacts" (p. 333).

Quade (1975, p. 254) proposed that policy implementation is part of the policy process which includes finding alternative courses of action for solving public problems which are satisfactory and best among those that are feasible, getting the findings accepted and incorporated into policy decisions, and seeing that policies are implemented without being changed to the extent that they are no longer satisfactory. According to Quade (1975):

> The ultimate goal of policy analysis is not just to help a policy-maker discover what might best be done in some ideal or abstract environment but to help in a practical sense by taking into account the problems of acceptance and implementation associated with a real context. (p. 253)

Quade was of the view, however, that the attainment of the above goal was a long way off, saying that "we simply do not know how to examine alternative acceptance and implementation strategies systematically or exhaustively" (p. 253). Part of the reason for this, he believed, was the state of the theory regarding, and the difficulty of analyzing organizational and political behaviour. Therefore, he said, implementation does not follow automatically once a policy has been formulated but frequently is full of difficulties, pitfalls and frustrations (p. 259).

Interest in the implementation aspect of the policy process grew in the 1970s in light of accumulating evidence of failure in the implementation of major social reform policies of the United States federal government. Writers investigating the relative success of legislated policies in establishing new programs for education, job creation, transportation, housing, civil rights and environmental pollution, discovered a paucity of research on the policy implementation process (e.g. Edwards and Sharkansky, 1978; Mann, 1982; Mazmanian and Sabatier, 1981; Quade, 1975; So, 1970; Van Horn, 1979; & Williams and Elmore, 1976).

One of the earliest documentations of the critical need for greater attention to be directed toward policy implementation issues was provided by Pressman and Wildavsky (1979). In 1973, these authors traced the course of events surrounding United States federal government efforts to initiate business expansion projects, in the City of Oakland, which would create jobs for the long-term unemployed, most of whom were racial minority members. The mandate to provide financial assistance for urban redevelopment by way of intergovernmental delivery systems was one of the "New Federalism policies" described by Van Horn (1979) as intended to reshape the distribution of power in the American political system through laws which decentralized the authority "for designing and running programs from the federal bureaucracy to governors, mayors, and county executives in state and local governments" (p. 139). Pressman and Wildavsky's work demonstrated graphically:

> The problems posed by long sequences of decisions involving multiple participants, each dependent on what has gone before and unable either to control the others or predict the probability of successful outcomes at succeeding points. (1979, p. 123)

They speculated that the implementation problems experienced in Oakland would likely be evident in other situations in which federal government programs involved local agencies, but found that they were unable to locate any relevant research in this area.

In attempting to address the need for more knowledge about policy implementation, a number of writers in the late 1970s and early 1980s developed conceptual frameworks and models to provide a means for researchers to structure their investigations and to promote greater understanding of the process. Among the best known of these are Mazmanian and Sabatier (1981) and Van Horn and Van Meter (1976).

Van Horn and Van Meter's conceptual framework, based on the literature on organizational theory and organizational change and control, was intended to assist those attempting to develop generalizations from the findings of individual case studies, and to provide a "general blueprint" for those wishing to undertake an implementation study (1976, p. 43). The principal goal of policy implementation analysis, they suggested, was to "describe and explain the process by which policies are transformed into public services" and to provide "explanations for the realization or non-realization of program objectives" (1976, p. 40). Expressed another way, they proposed that the goal of implementation analysis was "to derive explanations for the events and factors that intervene between the articulation of a ... policy and the results that occur" (1976, p. 46) and to "prevent ill-advised conclusions about why a policy has failed" (1976, p. 41).

Their intergovernmental policy implementation model (Van Horn and Van Meter, 1976, p. 47) described eight clusters of independent variables--policy resources, policy standards, communication, enforcement, dispositions of implementers, characteristics of implementing agencies, political conditions, and economic and social conditions--thought to influence the implementation process. Calling it a heuristic model, Van Horn and Van Meter suggested that it not only identified linkages among the independent variables but also allowed for the investigation of relationships between independent variables and policy performance or dependent variables (1976, p. 58). Research using this model, the authors believed, would provide explanations for observed implementation outcomes and point to variables that might be manipulated to improve policy performance (Van Horn and Van Meter, 1976, pp. 58-59).

Mazmanian and Sabatier (1981) also were of the view that a substantial portion of implementation outcomes could be explained by a "finite number of variables, which can be organized and examined within the context of a reasonably parsimonious conceptual framework" (1981, p. xi). Their general framework, designed to serve as a common reference for those working in a variety of policy areas, provided a means to examine the effects of three sets of independent variables on various stages of the implementation process. The three sets were as follows (1981, p. 6):

1. The tractability of the problem being addressed.
2. The ability of the statute to favourably structure the implementation process.
3. The net effect of a variety of nonstatutory or "political" variables on the balance of support for the statutory objectives.

Mazmanian and Sabatier criticized the Van Horn and Van Meter approach as being an abstract systems model which identified "amorphous categories rather than variables that can be easily operationalized" (1981, p. 5). In addition, they felt that because Van Horn and Van Meter did not identify which variables were controlled by which actors, their framework was not of much use to policy practitioners.

An important outcome of the work of these researchers, however, was the fact that they drew attention to the idea that variables or factors, acting in association with one another or alone, can influence one or more stages of the implementation process.

Elmore (1978) took a different approach towards analyzing policy implementation in that, rather than attempting to derive a single model, he proposed four distinct models, based on organizational theory, which emphasized different features of organizations and provided different views of the implementation process. His thesis was that since public policies frequently are implemented by large public organizations, knowledge of organizations and how they function is critical in the analysis of an implementation process. The models described by Elmore (1978) were as follows:

1. Systems Management model which views organizations as value-maximizing units and implementation as an ordered, goal-directed activity.

2. Bureaucratic Process model which emphasizes the roles of discretion and routine in organizational behaviour and views implementation as a process of continually controlling discretion and changing routine.

3. Organization Development model which treats the needs of individuals for participation and commitment as paramount and views implementation as a process in which implementers shape policies and claim them as their own.

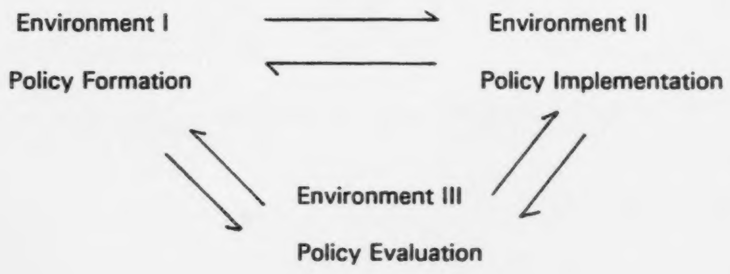
4. Conflict and Bargaining model which treats organizations as arenas of conflict and views implementation as a bargaining process in which the participants converge on temporary solutions but no stable result is ever achieved.

The utility of these models for the analyst comes not from endeavours to attach a "label" to the organization under study; rather, the models focus attention on the organizational context in which the policy is to be implemented, especially aspects such as the distribution of power and organizational decision making, and on the types of implementation strategies that are appropriate for the particular context. Elmore emphasized that the assumptions implementers make about organizations influence the strategies, recommendations and solutions they propose to facilitate implementation; and when the assumptions are wrong, implementation failure is a likely result (1978, pp. 189-190).

The idea of the importance of determining the organizational context in which a policy is to be implemented can be broadened to encompass the concept of implementation environment. This idea was derived from the work of Nakamura and Smallwood (1980) who developed the concept of policy environments. Nakamura and Smallwood viewed the policy process (Figure 2.1) as a cyclical system of functional environments--policy formation, policy implementation and policy evaluation--each containing a variety of arenas in which actors interact, and where each is connected to and interdependent with the others (1980, p. 27). The concept of environments was useful, they considered, in that it limited the tendency to see implementation as unidirectional; instead, it suggested diversity, fluidity and complexity (p. 65). Nakamura and Smallwood (p. 46) suggested that a variety of forces within the implementation environment could shape the implementation process once a policy was formulated, proposing that key influences or forces could be grouped under three major headings, namely (a) actors and arenas, (b) organizational structure and bureaucratic norms, and (c) communication networks and compliance mechanisms.

Figure 2.1

Policy Process Environments



(Adapted from Nakamura and Smallwood, 1980, p. 27)

To illustrate further, they (1980, p. 112) described five different types of implementation environments, each based on different assumptions about the influences or forces in operation, and each requiring particular types of approaches or strategies for policy implementation. They cautioned, however, against viewing these environments as "mutually exclusive" and "self-contained", advising instead that "the implementation process may involve a mix of approaches at the same time" (p. 112). The five implementation environments were as follows (Nakamura and Smallwood, 1980, pp. 114-115):

1. Classical Technocracy where implementers support policy makers' goals and devise the technical means to achieve these goals.

2. Instructed Delegation where implementers support policy makers' goals and negotiate the administrative means among themselves to achieve goals.

3. Bargaining where implementers bargain with policy makers over goals and/or the means to achieve goals.

4. Discretionary Experimentation where implementers refine goals and means for policy makers.

5. Bureaucratic Entrepreneurship where implementers formulate policy goals and the means to carry out goals, and persuade policy makers to accept their goals.

Building on the work of Elmore (1978) and others, Berman (1980) added considerably to the idea that implementers, in developing strategies, must take into account the situation or context (the implementation environment) within which the policy is to be implemented. If implementation problems are to be overcome, he emphasized, the strategies introduced must be appropriate for the situation (1980, p. 206).

Although Berman's (1980) original intention was to illustrate differences between situations which call for "programmed" implementation strategies and those which require "adaptive" strategies, he concluded that "policy situations are often so complex that a mix of programmed and adaptive strategies might be more effective than a simple choice between the two" (p. 206). He went on to say that "the actual design of workable implementation strategies must ... be concrete, constructed from the bricks and mortar of particular policies implemented in unique settings" (p. 207). Further to noting the importance of context or policy situation, that it varies from delivery system to delivery system, and that policy makers should choose strategies which are appropriate to the particular situation, Berman raised questions as to what aspects or dimensions of the situation implementers should direct their attention, and about whether or not generalizations about situations were possible. His impression was that the literature did not provide definitive answers to these questions, nor did it offer a conceptual framework for investigating possible answers (1980, p. 213).

More recently, LaRocque (1986) examined relationships between the assumptions made by policy implementers in a school district and the types of strategies adopted. She discovered that the perceptions of different groups of actors regarding the nature of the implementation process influenced the types of strategies they selected.

At one level, school board members and senior administrators approached policy implementation as a "bounded and sequential" activity, based on assumptions about the hierarchical structure of the school district and about a common value system among the different groups of actors. Hence their strategies, which consisted of providing information and instructions to principals and superintendents, and advocating the use of workshops and skill training, reflected an understanding of implementation as a technical, rational process.

District administrators and employee groups, however, viewed the policy implementation process as one in which each group of participants had its own goals and interests to protect and promote, and in which the beliefs and values of each group, particularly about the need for the policy, were highly important. These groups, accordingly, expected implementation to result from negotiation, bargaining and compromise, based on beliefs that cooperation could not be assumed and that legal authority was not sufficient to ensure compliance. This political view of implementation resulted in strategies such as "selling" the idea, persuasion, inducements, compromise and negotiated agreements.

Finally, from a third perspective, implementation was seen by school staffs as occurring among different cultures or subcultures each with different beliefs, values, interests, norms and traditions, where perspectives were not and could not be shared, and where a common framework of values could not be developed. Policy implementation was assumed to be "the evolution of ideas or dispositions inherent in the policy within specific settings" and "characterized by mutual adaptation and clarification" (LaRocque, 1986, pp. 500-501). Implementation strategies for this cultural/evolutionary approach to implementation were of a normative/re-educative nature, such as problem solving, adaptation, discussion and feedback.

From the relative successes and failures of the strategies employed by the different groups in the school district, an overall conclusion from LaRocque's (1986) work was that policy implementers should not make assumptions about the nature of the implementation process. Rather, the choice of strategies should depend upon issues and problems arising from the policy itself and the context in which it is to be implemented. As Berman (1980) declared, as a message to researchers:

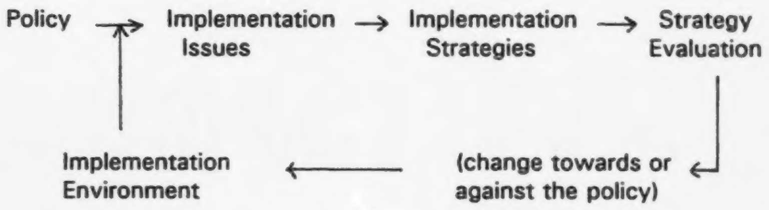
> A context-free theory of implementation is unlikely to produce powerful explanations or accurate predictions. The literature has sought to identify variables that account for ... dismal implementation experiences [but has reported inconsistent findings]. Until the contingent elements in policy situations are identified, contradictory research findings can be expected. In short, researchers need a contingency analysis of implementation.... Since a policy's outcome depends on the interaction between strategies and constraints, policy makers should choose implementation strategies according to the situation's constraints (i.e. contingent conditions). (p. 206-207)

Conceptual Framework

From the models and concepts described in the literature, an outline for a conceptual framework for this policy implementation study began to emerge (Figure 2.2). It is acknowledged at the outset that the framework is based on a view of the policy process as comprising three fundamental and, for purposes of analysis, separate stages, these being policy making, policy implementation and policy evaluation. The implementation stage commences at the point where policy decisions have been taken and the policy has been transmitted to the implementing system.

Figure 2.2

Model Outline for Implementation Process


Policy
Implementation Issues
Implementation Strategies
Strategy Evaluation
(change towards or against the policy)
Implementation Environment

At the beginning of the implementation stage, therefore, is the policy itself. It can be expected that various elements of the policy, such as purpose, objectives, requirements, resources, monitoring and enforcement mechanisms, will influence the implementation process. Secondly, since policies are implemented within a particular context, contextual factors both within and outside the implementing organization also will shape and direct the process. As Smith (1973) observed about the influence of environmental factors on the implementation process:

> Environmental factors can be thought of as sort of a constraining corridor through which the implementation of policy must be forced. For differing kinds of policy, differing cultural, political, and economic conditions may prevail. (p. 205)

Consequently, a major component of any implementation study must be an examination of the environment in which the process is to occur.

At the next stage, an analysis of the policy in relation to key contextual factors makes possible the identification of implementation issues and problems which may arise from efforts to realize policy objectives and requirements within the given context. Implementation strategies then selected must be contingent upon the implementation issues and problems which have been identified. Majone and Wildavsky (1979) expressed this notion in the following way:

> Reducing, bounding, limiting contingencies is the analytic function. Discovering the constraints under which policy ideas may be expected to operate--applying negative knowledge if you will--is the main task of analysis. Fixed prescriptions--"knowing that"--give way to "knowing how"--adopting the right rule at the right moment as events unfold, in order to bring out one potential result over many others. (p. 190)

Expressing similar ideas, but in a manner more closely capturing the dynamic nature of the process, McLaughlin (1987) pointed out that the interaction between implementation problems and implementation actions is neither simple nor linear:

> Because implementation takes place in a fluid setting, implementation problems are never "solved." Rather they evolve through a multi-staged, iterative process. Every implementation action simultaneously changes policy problems, policy resources, and policy objectives. New issues, new requirements, new considerations emerge as the process unfolds. (p. 174)

Consequently, an evaluation of the implementation strategies employed, which is the next stage in the model, must examine to what extent policy requirements have been met and whether changes to the policy have been made. As well, the evaluation should look at what changes have taken place to the implementation context as a result of the strategies. That is, it should seek to determine whether or not a more favourable implementation environment has been created, as well as identify any new issues and unanticipated problems which have emerged.

The model outline shown in Figure 2.2 accommodates these steps; further, it provides for feedback such that, depending on the outcome of the strategy evaluation, new strategies can be formulated which take into account any changes in the implementation environment, either towards or against the policy, and address any policy requirements which yet have to be met. However, in order for the model outline to become useful as a conceptual framework for analytic purposes, it must be more fully developed such that a means to examine the policy and the implementation context, and to evaluate the strategies chosen, are available. A further perusal of the literature provides the basis for the more fully developed conceptual framework shown in Figure 2.3.

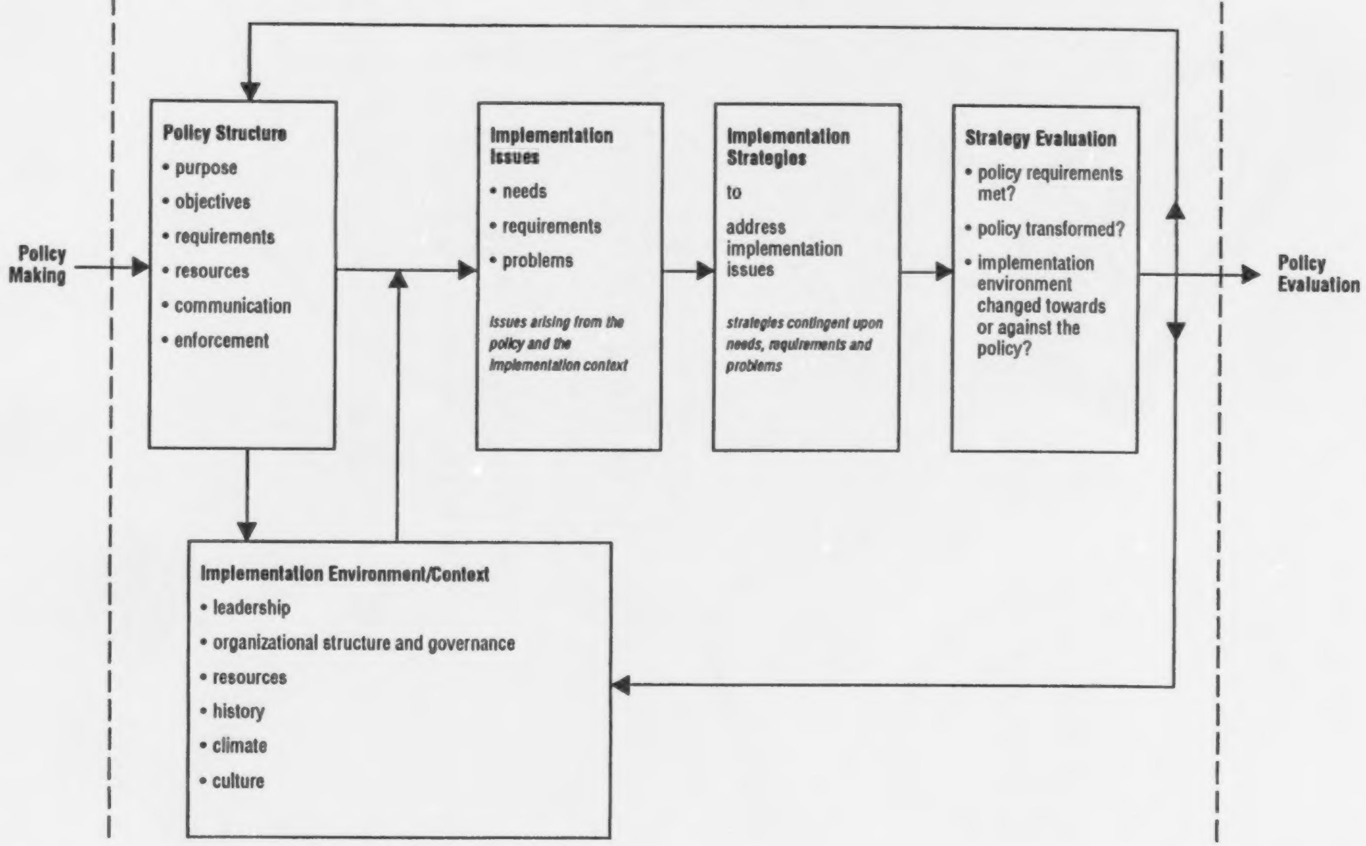
Policy Structure

It is likely that most authors who have written about policy implementation have made at least some reference to the influence of the policy itself on the implementation process. Sabatier and Mazmanian focused particular attention on this aspect, suggesting that many theorists have "seriously underestimated" the ability of a policy to structure the implementation process (1981, p. 5) through the clarity of its objectives and the assignment of responsibilities to the various actors (p. xii). In other words, policy makers possess a substantial capacity to influence the implementation of their policies (Baum, 1981, p. 45). Similarly, Rosenbaum (1981, p. 63) made the point that while a well-crafted statute is not a sufficient condition for effective policy implementation, it is a necessary condition in most instances.

Van Horn and Van Meter (1976) believed that policy standards and policy resources were the two most significant components of a policy decision influencing implementation. Resources, they felt, could change the implementation environment in directions either for or against the policy, depending on whether they were inadequate or sufficient to stimulate interest or create incentives (1976, p. 49). They emphasized also that policies must move beyond "the general legislative goals and preamble rhetoric" and provide specific requirements and clear standards regarding goals to be achieved. Policy standards should tell implementers what is expected of them and provide tools of influence and enforcement,

Figure 2.3

Policy Implementation Process
Conceptual Framework


Policy Making
Policy Structure
• purpose
• objectives
• requirements
• resources
• communication
• enforcement
Implementation Issues
• needs
• requirements
• problems
issues arising from the policy and the implementation context
Implementation Strategies
to
address implementation issues
strategies contingent upon needs, requirements and problems
Strategy Evaluation
• policy requirements met?
• policy transformed?
• implementation environment changed towards or against the policy?
Policy Evaluation
Implementation Environment/Context
• leadership
• organizational structure and governance
• resources
• history
• climate
• culture

such as sanctions, to bring about the desired activity (pp. 49-50).

Van Horn and Van Meter referred to the importance of communication, observing that "policy standards cannot be complied with unless they are communicated with sufficient clarity so that implementers will know what is required of them" (1976, p. 50). They added that while good communication will not necessarily lead to favourable attitudes, variations in implementer support can sometimes be explained in terms of the understandings and interpretations which result from communication efforts. The authors drew attention also to the question of enforcement, pointing out that while the specification of standards can influence the likelihood of implementation, usually other mechanisms and procedures are required to ensure that this occurs. Mandating agencies, they suggested, have three means of achieving compliance, these being norms, incentives, and sanctions, which should be used in ways appropriate for the context of the particular organization (1976, p. 52). In describing various types of incentives and other enforcement strategies, Van Horn and Van Meter stated that "one of the most important enforcement relationships is the provision of support by the ... [mandating agency to implementing agencies facing] hostile forces within their environments" (p. 53). They added that "the most threatening form of potential ... power is the authority to withdraw or recover funds" from an organization as a result of noncompliance (p. 54).

Schneider (1982) concluded that a policy itself can be responsible for implementation problems when erroneous assumptions have been made about the problems it is supposed to solve or about how the implementation agency operates. Policy statements which contain ambiguities or internal contradictions also can contribute to implementation failure.

Sabatier and Mazmanian (1981) suggested that the probability of policy objectives being met depended on the extent to which the policy: (a) identifies the problem(s) and provides clear and consistent objectives, (b) sets out unambiguous directives along with their priority relative to the organization's other mandates, (c) incorporates a causal theory such that the linkages between the intervention and the attainment of program objectives can be understood and (d) establishes additional means of obtaining the required behavioral changes and otherwise structuring the implementation process. These additional means can include provisions for financial and/or legal resources, inducements or sanctions sufficient to overcome resistance and ensure compliance, the selection of implementing agencies and officials who are favourably disposed toward the policy, the establishment of formal decision-rules for the implementing agency, and control over the participation of actors external to the implementing agency (1981, pp. 10-14). Sabatier and Mazmanian suggested as well that a mandating agency can affect the policies pursued by an implementing organization through oversight or monitoring, which can take the form of hearings, consultations with staff and administrators, requests for information, and investigations of constituent complaints (p. 19).

Baum (1981, pp.48-51) elaborated on the importance of a valid causal theory and clear directives for influencing successful policy implementation. He said that, implicitly or explicitly, all policy incorporates a causal theory that certain provisions in the policy will lead to certain results. The greater the validity of the theory, the greater the likely success of the policy. In addition, he said that in order to be successful, a policy must be effectively transmitted to its implementers and target groups, and that the quality of this transmission is determined by "the clarity of the policy itself and the accuracy and completeness of its communication" (p. 50). Baum went so far as to suggest that clarity is important because "ambiguity provides a means for negatively inclined ... bureaucrats to evade the intent of the policy through deliberate misinterpretation" (p. 50). He noted also that sanctions, whether threatened or imposed, can provide a mechanism of control in policy implementation; however, in order to be effective, a sanction must involve "significant deprivation, and the threat of its imposition must be credible" (p. 55).

Rosenbaum (1981) believed that implementation analysis is particularly concerned with those policies which require substantial changes in bureaucratic routines or in the behaviour of organizational members (p. 64) and that, in the construction of policy, the principles of specificity and enforceability must be taken into consideration if a policy is to be effectively implemented. Specificity, he indicated, refers to the clear, precise specification of the behavioral changes required including the standards and criteria to be met. Enforceability concerns the need for a balance between the stringency of the mandate for behavioral change and the strength of the enforcement measures established to ensure compliance. Rosenbaum concluded that implementation problems are created when statutes with "extremely stringent and ambitious mandates for change are unaccompanied by adequate enforcement procedures" (p. 64).

However, different views about the importance of the policy itself in determining implementation success have been expressed by other writers. McLaughlin (1987), for example, in contending that the features of a policy have only limited capacity to affect implementation, said that "in short, policy at best can enable outcomes, but in the final analysis it cannot mandate what matters" (p. 173).

Implementation Environment

While several authors have called attention to the importance of analyzing the implementation environment or context in order to identify issues and problems and to develop appropriate implementation strategies, there is no agreement on a single set or finite number of factors that should be examined in order to describe and define the implementation context. Mazmanian and Sabatier (1981) remarked that "little consensus has emerged on the appropriate framework within which to conduct implementation research or even the relevant range of variables to be included" (p. xi).

Questions regarding which contextual factors to examine, therefore, are difficult to resolve. In one organization, a particular factor may of be of critical importance in determining the nature of the context; in another, however, it might have little or no influence whatsoever.

For purposes of this study, the contextual factors chosen to guide the investigation were selected from among those referred to most frequently in the literature as likely to influence the implementation process. Furthermore, consideration was given to the appropriateness of various factors to the university setting. For example, while leadership was chosen as one of the factors, public support, as it relates to support from the general public, was not.

Leadership

Sabatier and Mazmanian asserted that "the variable[s] most directly affecting the policy outputs of implementing agencies" (1981, p. 20) are the commitment and leadership skill of agency officials. The degree of commitment of officials, which influences the priority they assign to the achievement of policy objectives, in part is determined by professional norms, personal values, and support for the policy among the agency's constituent groups. Regarding this latter point, there is substantial evidence to suggest that constituent opinion can influence the agenda of the administration (Sabatier and Mazmanian, 1981, p. 17).

In addition to commitment, leadership skills, including both political and managerial skills, are necessary for successful policy implementation. According to Sabatier and Mazmanian (1981, p. 20), political abilities include those for developing good relationships with the mandating agency, convincing opposing individuals and interest groups to cease their resistance, mobilizing support among latent supportive constituencies, and "adroitly" presenting the agency's case to the media and others. Leadership, they said, involves developing adequate controls, maintaining high morale among agency personnel and managing internal dissent so that outright opponents are made ineffective.

Similar ideas were expressed by Newcombe and Conrad (1981) who, in their study of the implementation of federal mandates in colleges and universities, stated that the importance of institutional leaders, particularly presidents, in implementing policies should not be underestimated. They said that "administrative leaders provide the pivotal link between government intentions and institutional change" (p. 565) and that progress towards the implementation of a mandate is "largely contingent" upon the leadership of the central administration (p. 562). The values, priorities, perceptions and commitment of institutional leaders, they felt, influence their willingness to make the necessary difficult decisions, to establish new institutional policies and to act as change agents. As such, when administrators delay making a commitment to the change, there are associated delays in the progress of the institution toward implementation. According to Newcombe and Conrad (1981):

> When the institution begins ... implementation, the primary administrative leader has either emerged as a change agent or does not intend to do so. In the latter instance, institutional progress toward implementation will be intermittent, minimal, and ineffective, or it will be delayed until precipitating conditions change (e.g., governmental intervention occurs or the internal political climate is altered). (p. 566)

Further, the leadership style and capabilities of key administrators affect their ability to develop the "facilitative and supportive substructures" within the institution which are critical for bringing about the "broad-scale change required by most federal mandates" (Newcombe and Conrad, 1981, p. 573). These substructures perform necessary tasks and provide the support services required for "efficient and sustained progress toward implementation", and can be used to gain political support for the proposed change.

Climate

Relative to policy implementation, climate refers to the "political climate" or the attitudes, beliefs and perceptions of individual constituents and organizational interest groups and coalitions towards a proposed policy, and the degree of congruence between the goals, philosophies and values of these individuals and groups, and those inherent in the policy. As Quade (1975, p. 269) suggested, the policy process, including policy implementation, is conducted in "a political environment" which affects what decisions are made, who makes them and how they are implemented. This is consistent with Lerner's (1986) "micro perspective" of organizations that "each participant's behaviour in an organizational setting is governed by his individual calculations of self-interest" (p. 465) and that individuals and coalitions within an organization will engage in "politics" or "strategic behaviour" in order to establish or maintain a "context in which their preferred events will occur" (p. 470). Berman (1980) also identified the degree of conflict about policy goals and means as an important situational variable, noting that some policies "are launched in a context of relative consensus" while others face "conflictual situations" arising from disagreements with local interests (pp. 217-218).

Van Horn and Van Meter (1976, pp. 55-56) also believed that the success or failure of implementation efforts is influenced by the level of support for or opposition to a policy by individuals and groups within the implementing agency. Where implementers do not believe in or reject outright the objectives of a policy, there is less willingness to execute the policy's standards. Implementers may reject policy objectives which go against their "personal value systems, self-interest, organizational loyalties, or existing preferred relationships"; their responses can range from "surreptitious diversion and evasion" to open defiance (p. 55). Similarly, Schneider (1982) cited lack of motivation or willingness, among those critical to the implementation process, as being reasons for implementation failure. Motivation or willingness, she said, is affected in part by whether or not there is agreement with the "basic philosophical principles" of the policy. Quade (1975, pp. 259-260), too, reported on implementation difficulties within organizations where "lower echelons" resisted or lacked the talent to carry the policy out. Often, he said, interest groups, opposing parties and affected individuals will attempt to force changes to a policy during the process of implementation.

Browning, Marshall and Tabb's (1981) studies of federal government social programs in the United States showed that whereas elements such as sufficient resources and strong statutory constraints can exert a favourable influence on policy making, "the ideology, interests and agendas of local actors have a major impact on implementation" (p. 135). They concluded that a policy will be met by resistance when its goals are in conflict "with local actors' positions about the propriety and desirability" (p. 142) of the intervention, and that, in the final analysis, local non-statutory variables such as the views of local constituents can play a far more significant role than regulatory variables.

Sabatier and Mazmanian (1981, p. 22) found, from studies of judicial and administrative policy decisions, that behavioral compliance depends upon target group attitudes regarding the legitimacy of the decisions, and on the assessment of individuals as to the relative costs and benefits to them of following the directives. The literature on civil disobedience, they pointed out, demonstrates that in some instances individuals may engage in all out opposition against what they perceive are unjust laws, no matter what the penalty.

Policy success, according to McLaughlin (1987), depends on two major factors, these being capacity and will. Capacity, she suggested, is something that can be addressed by the policy itself; for example, sufficient resources can be provided. Will, however, or the attitudes, motivation, beliefs and commitment of implementers which develop from their assessments of the value of the policy's goals and the appropriateness of the strategies, "is less amenable to policy intervention" (p. 172). She observed that implementer willingness also can be affected by factors outside the realm of the policy, such as "environmental stability, competing centres of authority, contending priorities and pressures and other aspects of the socio-political milieu" (p. 173).

Organizational Structure and Governance

Van Horn (1979, p. 18) wrote that no matter what the attitudes of its personnel, the formal and informal organizational characteristics of an implementing agency, including its structure, will affect the agency's ability to carry out a policy. Earlier, Van Horn and Van Meter (1976, p. 55) concluded that certain features of an agency's staff, structure, and relations with other officials and units of government will tend to limit or enhance prospects for effective implementation. Students of organizational theory who have dealt with the topic of change, they observed, have examined a variety of impediments to innovation arising from organizational structure and from actions which tend to keep organizations doing the things they have always done in the same way they have always done them (1976, p. 43).

Among the organizational factors affecting implementation is organizational control which has to do with the various ways (e.g. normative, coercive and remunerative) of achieving participant compliance. Van Horn and Van Meter insisted that any discussion of control in complex organizations must take into consideration the relationship between superiors and subordinates (1976, p. 44). Under these circumstances, the classic bureaucratic model where rules made at the top are carried out unquestioningly by those below fails to apply and, instead, lower participants are able to secure sufficient power through a variety of means to achieve greater autonomy and to resist efforts to bring about conformity.

Berman (1980) identified the structure of a policy's "institutional setting" as a parameter influencing policy implementation. He characterized policy settings as micro-settings, which refers to the actual organization in which a policy is to be introduced, and macro-settings which comprise all the agencies and organizations involved with the policy. Relative to these settings, Berman introduced the concept of "loose coupling" which he described as "a composite term connoting how a system is differentiated into operating units ... and how the units are coordinated" (p. 219). In tightly coupled settings, there is high coordination among the various units while in loosely coupled settings, the opposite is the case. There can be tight or loose coupling within the implementing organization itself, and between a mandating agency and an implementing organization. In cases of loosely coupled systems, many traditionally accepted means of ensuring implementation such as providing clear and precise statutes "often simply prove ineffective" (p. 219). Instead, other strategies to deal with the contingencies of loose coupling must be devised (p. 220).

Additional reference to the concept of loose coupling was made in Baum's (1981) descriptions of the difficulties faced by federal policy makers in enforcing their mandates on local institutions. He concluded that "in each instance the nominal authority of the mandating institution has proved insufficient to provide substantial control over those who carry out its mandates" (p. 46). Similar observations were made by Browning, Marshall, and Tabb (1981, p. 129) who discovered that when mandating and implementing agencies are separate entities, hierarchical integration is very weak and the stronger local factors create implementation difficulties.

Like Van Horn and Van Meter, Baum believed that the phenomenon of ineffective enforcement between mandating and implementing agencies was best explained in the literature dealing with the weakness of hierarchical control in complex organizations. In such organizations, he said, it has been found that higher level participants frequently experience difficulties in controlling the activities of subordinates. This is because, in complex organizations, lower participants have access to "countervailing power" which is acquired through their control over people, resources and technologies, and which enables them to influence a variety of decisions (1981, p. 46).

Other organizational factors having an influence on implementation efforts include the "communication procedures that are relied on to hold the organization together" (Nakamura and Smallwood, 1980, p. 54). The direction, means, speed, and clarity of communication apparently are all elements that can affect implementation. Administrative distance, in the sense of the length of the "process from policy to operations" or the number of layers in the organization, also can be a critical factor (p. 55). According to

Nakamura and Smallwood, another important organizational variable in the policy implementation process is complexity. They said:

> Key factors that tend to increase complexity relate to the internal decision-making structure of the organization itself (the more levels and clearances, the greater the complexity); the degree of reliance placed on the use of intermediaries (the more intermediaries, the greater the complexity); and the extent of ... "piling on" (the more actors from all arenas who enter the process, and add their goals, the greater the complexity). (1980, p. 55)

Culture

Nakamura and Smallwood (1980) discussed how operational norms or the organizational culture of an implementing agency can work in favour of or against the efforts of policy makers to introduce organizational changes. They wrote that:

> In addition to being affected by the motivations and beliefs of individual actors, bureaucratic institutions are guided by collective sets of internal social norms that define acceptable behaviour ... that may or may not coincide with the goals of the policy makers. (p. 58)

In organizations in which a high value is placed on adherence and conformity to certain rules, routines and ceremonies, for instance, there is a greater likelihood of encountering resistance to change.

Blau and Meyer (1987) considered the conflicting implications of myths and ideologies which develop particularly in large organizations. They referred to the fact that beliefs can arise about "the unique character or distinctive competence" of the organizational members, observing that these "glorifying myths or beliefs" can create a sense of joint purpose and strengthen the commitment and loyalty of the members (pp. 54-55). On the other hand, although such ideologies can be useful in transforming a group of individuals with separate goals into a cohesive working unit, they also can have seriously dysfunctional consequences. Myths and ideologies tend to create rigidity and resistance to change by enhancing commitment to the status quo. This, in turn, diminishes the organization's capacity to respond to new situations and adjust to different conditions:

> If leaders truly believe their organizations to be superior, then they have little incentive to change existing arrangements. Quite the opposite; they will

> defend the status quo tenaciously. Individuals who point out shortcomings ... are labelled as deviants ... [thus] discouraging others who share the same views from voicing them. Indeed ... the power of official ideologies may be such that each member thinks the others are satisfied and therefore does not speak out. (1987, pp. 56-58)

Resources

Montjoy and O'Toole (1979) deemed resources to be a critical factor in the implementation of external mandates within an organization. They noted that policies requiring changes to existing routines involve costs to the organization in the form of money, staff, expert knowledge of the new routines, time and authority. In order to illustrate the importance of resources, Montjoy and O'Toole proposed a four-cell model of implementation in which the specificity of the mandate and the availability of new resources were hypothesized to have different implications for the success of the process. In situations where a policy mandate is vague, allowing room for interpretation, they suggested that in the absence of new resources there would be little voluntary organizational change and, instead, the mandate would "tend to be displaced in the direction of existing routines." On the other hand, in the case of a specific mandate but no new resources, the view was that the response of the organization would be more complex because the constraint of the mandate and the constraint of scarce resources would not be working in the same direction. For instance:

> Where existing routines are supported by the goals and world view of both the leadership and the rank and file ... a new mandate which competes with existing routines but has no clear claim to high priority will probably be resisted by the organization. This resistance will rarely take the form of outright defiance. Such devices as interminable delays and "gun decked" reports (i.e. reports written to give the appearance of organizational activity and progress) serve a similar function and are less dangerous. (p. 467)

Money, time, the adequacy and competency of staff, and power or "the ability to move other actors to implement policy goals" were cited by Nakamura and Smallwood (1980) as important variables bearing upon the implementation process. In fact, they said that "resources can have such an obvious and direct impact ... that it is hardly necessary to dwell upon this topic in detail" (p. 55). However, they did refer specifically to the "critical administrative resource of power," emphasizing its central importance to implementation. Noted also were some potentially contradictory influences that certain resources might possess. For example, when time is short, implementers may be induced to move ahead very quickly; conversely, lack of time also can be used as an excuse for inertia (p. 55).

History

Several writers have made reference to the importance of taking historical context into consideration in any implementation endeavour. According to Mann (1982), "innovations in policy that fail to build on what has gone before run the danger of significant opposition, technical breakdowns, and unintended consequences" (p. 6). "This sense of history," he argued, "provides an awareness of what is settled and what is subject to reversal, modification, or redirection." "Doing without history," warned Wildavsky (1979), is a little like abolishing memory--momentarily convenient perhaps--but ultimately embarrassing" (p. 38):

> If history is abolished, nothing is settled. Old quarrels become new conflicts. Both calculation and conflict increase exponentially.... As mistrust grows with conflict, willingness to admit, and hence to correct errors diminishes. (p. 38)

Schneider (1982) too was cognizant of the relevance of viewing policy initiatives within the organization's historical context. Policy directives may be difficult to understand and their relative importance misjudged "if isolated from the historical context and/or from the context of agency operations prior to when the new policy became effective" (p. 722). For instance, some directives simply reinforce existing practices whereas others, although seemingly innocuous, may require enormous change.

CHAPTER 3

METHODOLOGY

Theoretical Considerations

Naturalistic Versus Rationalistic Inquiry

Owens (1982) observed that while there are several approaches in the field of human inquiry toward discovering "truth" and for "knowing" and "understanding" phenomena, two have gained prominence as inquiry paradigms in science. One is the rationalistic paradigm which "is essentially associated with deductive thinking and logical-positivist views [about] 'understanding' social and organizational phenomena" (p. 3). The other, or naturalistic paradigm, essentially is based upon inductive thinking and phenomenological ways of knowing and understanding. Both are legitimate modes of inquiry which arise from different perspectives and assumptions about the knowledge production process.

Owens cautioned that his illustrations of the fundamental differences between the two approaches provided a "relatively simple dichotomy" which, in the "real" world, is rarely encountered. He acknowledged, instead, the existence of "shades of grey" and the possibility of methodological views that might lie along a continuum between the two paradigms.

The term "naturalistic" represents one view of the nature of reality. To Owens (1982), it is a view which sees the world as a dynamic system of interrelated and interconnected elements. As such, an understanding of the reality of the world cannot be achieved by separating elements from their context for purposes of examination. Such alterations result in distortions of the system and faulty understandings of reality. Instead, "the parts must be examined as best as possible in the context of the whole" (p. 6).

Regarding the naturalistic paradigm as an approach to inquiry, Owens (1982) said that it is based on concepts that:

> Human behaviour is so significantly influenced by the context in which it occurs that regularities in those contexts are often more powerful in shaping behaviour than differences among the individuals.... [and that] one cannot understand human behaviour without understanding the framework within which ... individuals ... interpret their environment, and that this ... can best be understood through understanding their thoughts, feelings, values, perceptions, and their actions. (p. 5)

In their reflections on the theoretical "underpinnings" of qualitative research, Bogdan and Biklen (1982) defined theory as "a loose collection of logically held-together assumptions, concepts, or propositions that orient thinking and research" (p. 30). In their view, while theoretical differences exist between various qualitative approaches, all qualitative research represents, in one way or another, a phenomenological perspective.

The phenomenological approach is concerned with "the interpretive understanding of human behaviour," and researchers using this perspective attempt to understand, rather than assuming they know, the meanings people assign to events, interactions and situations. Phenomenologists seek to enter "the conceptual world of their subjects in order to understand how and what meaning they construct around events in their daily lives" (pp. 31-32). They believe that human beings, through interacting with others, interpret experiences in a variety of ways and that these interpretations constitute their reality. As such, realities, which are multiple, are socially constructed (Bogdan and Biklen, 1982, pp. 31-32). Nonetheless, Bogdan and Biklen pointed out also that although qualitative researchers may emphasize subjective reality as a means to better understand human behaviour, "they do not necessarily deny a reality 'out there'" which exists apart from what human beings may think or believe (p. 32).

In critiquing the utility of the rationalistic paradigm as a means to advance knowledge in the social and behavioral sciences, Guba and Lincoln (1982) remarked that decades of research using this approach have not been able to produce an "essential body of knowledge, systematically and patiently built up" (p. 234). Referring to the difficulties experienced by investigators in applying the methods of the rationalistic approach in conformity with the principles on which they were founded, these writers concluded that it seemed to make more sense to find a paradigm that accommodated "real world conditions" rather than trying to manipulate conditions to fit the requirements of a specific approach, or ignoring some situations altogether. As an illustration of this latter point, they observed that the "propensity of the rationalistic model to avoid process considerations is not based upon a lack of interest in process but an essential inability to deal with it" (p. 251). They commented also on the frequent failure of rationalistic research results to affect practice, concluding that this is an outcome of a paradigm which is based on "certain fundamental axioms or assumptions" which apply poorly to social/behavioral inquiry.

The naturalistic paradigm, according to Guba and Lincoln (1982):

> Offers a contextual relevance and richness unmatched by any other paradigm. It displays a sensitivity to process virtually excluded in paradigms stressing control and experimentation. It is driven by theory grounded in data.... [and takes] full advantage of the not inconsiderable power of the human-as-instrument, providing a more than adequate trade-off for the presumably more "objective" approach that characterizes rationalistic inquiry. (p. 235)

While the rationalistic approach is concerned with "tangible" or objective realities, the type of phenomena addressed in the social/behavioral sciences most often have no reality in a physical sense. Instead, realities are subjective, based on constructions of people's minds arising from the meanings and interpretations which they ascribe to events and processes. Therefore, "the more individuals one explores, the more realities one encounters" (Guba and Lincoln, 1982, p. 239).

The naturalistic approach recognizes that just as the subjects of an inquiry can be influenced by the investigator, so too can the investigator be affected by the subjects. Rather than ignoring or attempting to eliminate this interactivity, naturalistic inquiry allows for the inquirer to be an intelligent instrument, "honing [sic] in on relevant facts and ideas by virtue of his or her sensitivity, responsiveness, and adaptability" (Guba and Lincoln, 1982, p. 240).

Although the development of generalizations is a primary purpose of inquiry for some researchers, the naturalist is cognizant of the difficulties associated with attempting to derive generalizations about human behaviour. Instead, "the naturalist ... is concerned first with developing an adequate idiographic statement about the situation [under study] ... accompanied by sufficient 'thick description' to make judgments about transferability possible" (p. 241).

Likewise, while the search, by empirical means, for causality or cause and effect relationships characterizes some research, the naturalist's approach to causality is through the meanings or explanations of cause which are constructed in the minds of people. In other words, if realities are constructions of people's minds, so too can causality be "a construction less traceable by empirical linkages than by plausible semantic/attributional linkages" (Guba and Lincoln, 1982, p. 242). Thus naturalists prefer:

> To think of multiple factors and conditions, all of which interact, with feedback and feedforward, to shape one another.... Action can be understood not as having been caused but as having emerged from the constant interplay of its shapers, all of which themselves are part of the action ... shaping and being shaped simultaneously. (p. 242)

Finally, whereas rationalistic inquiry strives to be value-free, the naturalist recognizes that values are associated with all aspects of research, including decisions about what to study, the substantive theory chosen to guide the inquiry, the inquirer and the respondents, the research paradigm and methods selected to gather and analyze data, and the interpretations of the findings.

Qualitative Versus Quantitative Research

In describing differences between qualitative and quantitative studies, Best and Kahn (1986) expressed the view that the dissimilarities are not so much a matter of absolutes as they are of emphasis. One type of study is not superior to the other, they said, and the approach chosen should depend on the nature of the variables and the objectives of the researcher (p. 148). Similarly, Berg (1989) suggested that differences between quantitative and qualitative schools of thought are reflected by a continuum of research methods "from totally uncontrolled ... techniques arising in natural settings to totally controlled techniques of observation" (p. 6).

Quantitative research approaches (Berg, 1989) are concerned with amounts, counts and measures of things whereas quality is concerned with:

> The what, how, when, and where of a thing--its essence and ambience. Qualitative research thus refers to the meanings, concepts, definitions, characteristics, metaphors, symbols, and descriptions of things. (p. 2) Qualitative researchers ... are most interested in how human beings arrange themselves and their settings and ... make sense of their surroundings through symbols, rituals, social structures, social roles ... (p. 6)

The purpose of qualitative research, in Berg's opinion (1989), is to "allow researchers to share in the understandings and perceptions of others and to explore how people structure and give meaning to their daily lives" (p. 6).

Best and Kahn (1986) described qualitative studies as those "in which the description of observations is not ordinarily expressed in quantitative terms" but where other means of description are emphasized (p. 147). Further, they indicated that although little measurement may be involved in qualitative studies, "observations may be classified into discrete categories, yielding nominal level data" (p. 148).

Firestone (1987) also deliberated upon the differences between quantitative and qualitative research pointing out that "purists" believe the two methods are incompatible because they are based on different paradigms or perspectives about the world and what constitutes valid research. Quantitative research according to the purists, he said, is based on a positivist perspective which assumes that objective realities exist apart from the beliefs of individuals. Qualitative research, on the other hand, originates from a phenomenological paradigm which holds that there are multiple realities which are socially defined by the beliefs and understandings of individuals or groups. While quantitative research seeks to explain causes and effects through measurement and quantitative analysis, qualitative methods are concerned with understanding social phenomena from the perspective of the actors. "Pragmatists," who take the other side in the debate, view method types more as "collections of techniques" which are not necessarily linked to any one particular paradigm and which, in fact, "can be and are combined fruitfully" (Firestone, 1987, p. 1).

Other characteristics of qualitative research include an emphasis on the inductive approach and on understanding occurrences or actions from the perspective of the actors. Qualitative studies necessitate a more complex approach wherein the notion of individual choice is taken into consideration, as an alternative to emphasis on causality:

> [While] the quantitative study portrays a world of variables and static states.... the qualitative study describes people acting in events.... The quantitative study uses a hydraulic image of determinism as if pressure from one variable changes another.... The qualitative study presents a more complex view of the world in which there are limits and opportunities that individuals must take into account and use.... These limits and opportunities shape action, but do not determine it.... The quantitative study emphasizes randomness and error ... [whereas the qualitative approach takes into consideration the concept of choice]. (Firestone, 1987, p. 19)

Less attention is given, in qualitative inquiries, to describing procedures or the means by which individual discretion is regulated. Instead, the qualitative study is presented as one which is exploratory; it persuades by providing the reader "with a depiction in enough detail to show that the author's conclusion 'makes sense'" (p. 19). The strengths of qualitative methods are "depiction of detail, portrayal of process in the active mode, and attention to the perspectives of those studied" (p. 20).

Methodological Considerations

Methodological Issues in Qualitative Research

Associated with qualitative research are a number of issues concerning methodology. A major consideration has to do with whether qualitative research is "scientific". Bogdan and Biklen (1982) remarked that while some social scientists continue to employ a narrow definition of science by equating scientific method with deductive research and hypotheses testing, even investigators in the "hard sciences" have recognized the limitations of this restrictive mode. They said:

> Part of the scientific method ... is to be open-minded about method and evidence. Scientific research ... involves rigorous and systematic empirical inquiry; that is, which is data-based. Qualitative research meets these requirements. (p. 39)

On the same issue, Berg (1989) observed that qualitative research procedures provide a means of accessing unquantifiable facts whereby certain understandings about human behaviour can be reached which could not be achieved through any type of count or measure. These procedures are as scientific as quantitative approaches when "science is defined as a specific and systematic way of discovering and understanding" (p. 9).

The term generalizability in research often is used to suggest whether the findings of an investigation apply to subjects and settings other than the specific one studied. Bogdan and Biklen (1982) commented that researchers sometimes refer to the work of other investigators in order to "establish the representativeness of what they have found, or they may conduct a larger number of less intense mini-studies to show the nonidiosyncratic nature of their work" (p. 41). Other qualitative investigators do not conceptualize generalizability in a conventional way. Rather, they are more interested in discovering settings and subjects to which their findings apply than in trying to establish universal generalizability (p. 41).

Owens (1982) made two particular points on the subject of generalizability. The first was that history tends to reveal that "generalizations are not enduring" but are eroded as changes occur over time (p. 10). Secondly, because human activity is very much influenced by the context in which it transpires, it is doubtful that meaningful, context-free generalizations about human behaviour and human social systems can be made (p. 11).

Qualitative researchers are concerned also about the effects of their own subjectivity on the data they collect and analyze, as well as about the criticisms of others that their personal views and prejudices may have biased their findings. In order to address these issues of bias, researchers try to become more aware of their own opinions and prejudices and "include reflections on their own subjectivity" within their investigations (Bogdan and Biklen, 1982, p. 42). They spend considerable amounts of time, as well, collecting and reviewing great quantities of data in order to reveal the many dimensions and provide detailed accounts of events. Owens (1982) wrote, for example, that as a means to avoid unreliable, biased, or opinionated findings, the naturalist "strives for validity through personalized, intimate understandings of phenomena stressing 'close in' observations to achieve factual, reliable, and confirmable data" (p. 10). Confirmation often is sought through indepth studies with a small group or even a single individual.

Other techniques, including working in teams or having others check the fieldnotes, also help to limit bias. In the final analysis, however, qualitative researchers acknowledge the existence of subjectivity and try to "take into account their biases as a method of dealing with them" (Bogdan and Biklen, 1982, p. 43).

Somewhat related to the matter of bias is the issue of the effect of the researcher on the individuals who are part of the study. Bogdan and Biklen (1982) acceded that almost all research is faced with the problem of "observer effect" but they claimed that qualitative researchers have addressed the issue and devised measures to minimize it. Interviews, for example, are conducted more as a conversation between two trusting parties rather than as a formal question and reply session between researcher and subject. In this situation, the intention of the researcher is to "try to interact with ... [his or her] subjects in a natural, unobtrusive, and nonthreatening manner" (p. 43).

Reliability, from a quantitative perspective, means whether or not "two researchers independently studying the same setting or subjects come up with the same findings" (Bogdan and Biklen, 1982, p. 44). Qualitative researchers, however, "do not share exactly this expectation" (p. 44). Instead, they are more concerned about the "accuracy and comprehensiveness of their data.... [and] view reliability as a fit between what they record as data and what actually occurs in the setting under study" (p. 43).

Owens (1982) wrote that because of the assumptions about and ways of understanding reality in the naturalistic paradigm, "the traditional concern for objectivity, validity, and reliability have little relevance for the design of naturalistic research" (p. 10). He outlined six alternative techniques for enhancing the credibility of qualitative research (pp. 14-15).

Periods of prolonged data gathering were recommended as a way for the researcher to gain deeper understandings and insights and to develop a thick description:

> Thick description provides meaning of human behaviour in the real world in such terms as cultural norms, deep-seated values and motives arising from cherished tradition, and community values.... [It] conveys very much the sense of the web of interrelated contextual factors that is associated with the situation under study. (Owens, 1982, pp. 7-8)

Triangulation was identified by Owens, as by most writers interested in naturalistic inquiry methods, as a particularly important and necessary means of cross-checking and verifying data, testing the accuracy of information, and examining the perceptions of different actors. Triangulation refers to the search for many sources of information and the use of multiple data gathering techniques such as "interviews, document analysis, self-reports, questionnaires, observation, and other approaches" (p. 15). Firestone (1987) described triangulation as the utilization of "different methods to assess the robustness and stability of findings" and to ensure "that the findings are not influenced by the methodology" (p. 20). Likewise, Merriam (1982) wrote about triangulation as the use of a variety of data sources "to enhance the validity of the findings" (p. 208).

Owens referred as well to the process of member checks whereby the investigator approaches relevant others in the organization to corroborate data, information and perceptions. He described this process as "perhaps the single most important means available to the naturalistic inquirer for establishing the credibility of an inquiry" (p. 15). He pointed out, also, the desirability of peer consultations which provide opportunities to "disengage from the setting ... to discuss the progress of the work, to raise questions and concerns, and to talk through problems ... with qualified peers who are interested" (p. 15).

Finally, the importance of collecting referential materials and relevant documents was emphasized because "these materials can help preserve over time some sense of the context in which observations were made and thus aid in the recall of events" (Owens, 1982, p. 15).

Case Study

Merriam (1985) conducted a review of the literature on case study as a research methodology because she felt that although such studies allowed "for a level of understanding and explanation not possible through conventional experimental or survey designs" (p. 204), the few existing sources of information on this method were not readily accessible to prospective researchers. As well, she said that "despite its long history of usage in many fields, as yet there is no full-length treatment of the case study as a research methodology" (p. 213).

She reported that while some writers believe that the case study can employ quantitative techniques or be used to test theory, most are of the view that "the philosophical assumptions underlying this method are those common to naturalistic inquiry" (p. 205). Case studies are undertaken in natural settings and seek "holistic interpretation of the phenomenon under study" (p. 7).

Merriam (1985) further indicated that case studies usually involve an examination of a "single system", whether it be an individual, a program, a community or a process. Similarly, Bogdan and Biklen (1982) described the case study as "a detailed examination of one setting, or one single subject, or one single depository of documents, or one particular event" (p. 58). The data for case studies are gathered usually through three major strategies, namely observation, interviewing and document analysis and, most often, they are qualitative in nature in order to "build the intensive, thick description of a case study" (Merriam, 1985, pp. 207-208). However, quantitative data also can contribute "to developing the fullest picture possible" of the subject under investigation (p. 208). This is consistent with Best and Kahn's (1986) statement that "a single case study emphasizes analysis in depth" (p. 93). "The case study," they said, "probes deeply and analyzes interactions between the factors that explain present status or that influence change or growth. It is a longitudinal approach, showing development over time" (p. 93).

In Yin's (1981) view, the case study is not restricted only to certain types of evidence and either quantitative or qualitative information can be used, nor does the case study suggest the employment of only one particular method of data collection. "What the case study represents," said Yin (1981), "is a research strategy.... that attempts to examine: (a) a contemporary phenomenon in its real-life context, especially when (b) the boundaries between phenomenon and context are not clearly evident" (p. 59).

Other authors (Merriam, 1985) have defined the functions and aims of the case study in the following ways:

> "To arrive at comprehensive understandings of the groups under study".... "the examination of an instance in action".... a process "which tries to describe and analyze some entity in qualitative, complex and comprehensive terms not infrequently as it unfolds over a period of time." (p. 206)

Different types of case studies have been described by various writers. Yin (1981, p. 59), for example, proposed that three types of case study (exploratory, descriptive, and explanatory) were possible. Shaw (1978) compared two types of case studies. Descriptive case studies, which are the simplest form, provide only straightforward description and therefore are of limited assistance to those seeking indepth understanding or theoretical development (pp. 4-5). Analytical studies, on the other hand, concentrate more on the process of how something comes about and why. Using examples of case studies relating to innovations in schools, Shaw emphasized the importance of analyzing the interactions, accommodations, compromises or "horse trading" which take place:

> The stages of deliberation and negotiation through which this creative and political process moves are not always perceived by the participants nor easily discerned by the observer; but an awareness of their nature and how to handle them are important. (p.6)

Analytical case studies, therefore, "are concerned with stages and developments in a complex process occurring in a complex setting." They allow practitioners to compare their own context and experience with those of others, and "lead to a more directly theoretical element in the conclusions" (Shaw, 1978, p. 4).

Lijphart (1971, p. 691) described six "ideal types" of case studies with the observation that any particular study of a case may fit more than one of the categories. The ideal types were: (1) atheoretical case studies; (2) interpretive case studies; (3) hypothesis-generating case studies; (4) theory-confirming case studies; (5) theory-infirming case studies; (6) deviant case studies. The first two types, one which is purely descriptive and the other which uses established theory to illuminate the case in an "applied science" manner, are concerned with the case itself rather than with building theory. The remaining four types contribute to theory generation. Theory-confirming and theory-infirming studies are analyses of single cases within a theoretical framework, where the study tests a theory "which may turn out to be confirmed or infirmed by it" (p. 692).

Merriam's (1985) own conclusion, from her review of the literature, was that:

> It is unfortunate that the literature on case study does not, as a whole, offer a clear notion as to what differentiates this methodology from other research strategies. A case study can test theory as well as build theory, and use data gathering and data analysis techniques common to traditional forms of research.... A case study differs from other research methods primarily in the nature of the product. The case study results in an intensive, holistic description and analysis of the phenomenon or social unit being studied. (p. 206)

While a number of authors would agree that observation, interviewing and document analysis are primary strategies for obtaining case study data (Owens, 1982; Rist, 1982), there was less clarity about how and when the data should be analysed. Rist (1982) was of the view that analysis should occur concurrent with as well as subsequent to data collection:

> To state that data analysis occurs concurrent with data collection is only to acknowledge that fieldwork is not simply the mechanistic collection of predefined data from predefined sets of respondents. Rather, the entire time the researcher is in the field, there is a constant dialectic between collection and analysis, i.e., a constant assessment of what is known versus what is to be learned. (p. 445)

A somewhat similar perspective was provided by Merriam who described the processes of data gathering and data analysis as "overlapping" (1985, p. 208). Owens (1982), on the other hand, proposed that:

> Typically, the [research] strategy will emphasize data-gathering in the early phase.... Checking, verifying, testing, probing, and confirming activities will follow in a funnel-like design resulting in less data-gathering in later phases ... along with a concurrent increase in analysis. (p. 11).

The difficulty of integrating very different kinds of data within a single case study, and of organizing the large volumes of information which frequently are generated, constituted other issues which were identified. Yin (1981), for example, observed that:

> The typical case study report is a lengthy narrative that follows no predictable structure and is hard to write and hard to read. This pitfall may be avoided if a study is built on a clear conceptual framework. (p. 64)

He advised further that:

> Although case studies may often begin with little conceptual framework, the narrative must nevertheless be organized around specific propositions, questions, or activities, with flexibility provided for modifying these topics as analysis progresses.... The determination of what is "meaningful" requires some sense of what the case study is all about.... The central questions of the case study do need to be identified beforehand. (pp. 59-62)

Merriam (1985, p. 209) also pointed out that a conceptual framework can serve to organize and present case study data, in order to make sense out of the data and to find patterns among the data that give the case study meaning. However, in drawing attention to the lack of information and guidelines on how a case study should be written, she wrote that one of the most problematic issues "is determining the right combination of description and analysis" (p. 209). It was Merriam's conclusion that "it is not clear from the literature how one writes a case study" (1985, p. 213).

The literature reveals that although some writers believe the case study should be primarily descriptive, others favour a more analytic emphasis. Owens (1982), as an example, felt that the basic purpose of a case study report is to provide description sufficient to provide the reader with understandings and insights of events and their meanings" or, in other words, to "take the reader there" (p. 17). Rist (1982), on the other hand, was of the belief that while traditional, detailed case descriptions are appropriate for some audiences, more innovative approaches are required at certain times "to minimize length and focus more intently on analysis" (p. 447) in order to increase the utilization of study findings by policy makers and others.

Content Analysis

Content analysis refers to a variety of techniques that can be used to analyze human communication. Holsti (1969) described content analysis as "a multipurpose research method developed specifically for investigating any problem in which the content of communication serves as the basis for inference" (p. 2). Berg (1989) referred to it as the examination by researchers of "artifacts of social communication" which comprise "written documents or transcriptions of recorded verbal communications" (p. 106).

Attention to similarities and differences between naturalistic and conventional content analysis was given by Lincoln and Guba (1985). Regarding the characteristic of "systematicity", which generally is considered a vital element of any approach to content analysis, they maintained that this requirement can be fulfilled even in those situations where procedures and criteria for selecting data are developed as the study progresses. Their only qualification was that, by the end of the study, all the data must have been processed under the same rules (p. 337). On the matter of generality, it was their opinion that since the naturalist often operates without a theoretical model "and has, in any event, little interest in generalizability, this requirement is rejected within the naturalist paradigm" (p. 337).

Lincoln and Guba considered as well the question of whether content analysis is concerned only with manifest content or the surface meanings of "those elements that are physically present and countable" (Berg, 1989, p. 107) or also with latent content which deals with inferences about and interpretations of motives, values, intentions, meanings and symbols. They noted the interest of the naturalist in "symbolic" meanings and the importance to such inquirers of context, suggesting that:

> Inferences from data to environment may not be propositional; they may be tacit. Again the importance of creative human involvement in data processing becomes apparent. (p. 338)

Also on the issue of whether content analysis must be limited to manifest or surface meanings, or whether it can be employed to search for deeper or latent meanings, Holsti (1969) wrote that although objectivity must be adhered to at the coding stage, interpretation was permitted later:

> "Reading between the lines," so to speak, must be reserved to the interpretation stage, at which time the investigator is free to use all of his powers of imagination and intuition to draw meaningful conclusions from the data. (pp. 12-13)

He issued a precaution nevertheless on "the dangers of inferring personality traits, intentions, values, motives ... without some independent sources of corroborating evidence" (p. 14).

Research Design

The decision to choose as the topic for the present study the implementation of Federal Contractors Program at the University of Alberta was reached following a fall, 1989 discussion with Professor Doris Badir, the University's Equity Advisor to the President at that time, concerning the appropriateness and feasibility of such an examination. Thereafter, in order to become more conversant with the historical context and previous activities around employment equity issues at the University, the researcher prepared, as part of a course requirement, an unpublished paper on Employment Equity at the University of Alberta - Background Paper (Vanderpost, 1990). This paper chronicled some of the work undertaken by individuals and groups on campus, particularly that which occurred before the signing of the contract compliance agreement, to bring about change in the institution towards employment equity goals. The paper was based on discussions with the Equity Advisor and others who had played various roles, as well as on documents provided by these individuals or obtained from other sources.

Ultimately, the study undertaken was an analytic and explanatory case study of the implementation of one particular policy, the Federal Contractors Program, within the single setting of the University of Alberta. The decision to confine the investigation to a case approach was founded on the desire to delve more deeply and specifically into the actual process of policy implementation. This was in concert with Merriam's (1985) observations concerning the application of the case approach to policy research, that such a study offers a framework for investigating complex social units containing multiple variables, understanding the actions of humans within specific contexts or situations, and assessing behavioral and social changes resulting from policy interventions (p. 210). This delimitation was made even though it was recognized that, since the federal policy was being introduced in several Canadian universities, a multi-site study was also possible and would very likely produce interesting and useful comparative information on policy implementation.

As outlined in the preceding chapter, the case investigation was guided by a conceptual framework. The purpose of the framework was to give direction in the manner proposed by Rist (1982, p. 446) who advised that an analytic model can provide a conceptual approach to the collection and analysis of data, and Yin who discussed how such a framework can help to structure a case study (1981, pp. 59-64). Analytic or conceptual frameworks, these authors suggested, can assist the researcher in organizing data and making judgments as to important lines of analysis. The benefits of developing analytic approaches in advance to guide and shape a case study were elaborated further by

Yin (1989) who cautioned that "too many times, investigators start case studies without having the foggiest notion about how the evidence is to be analysed.... Such investigations easily become stalled at the analytic stage" (p. 105).

Therefore, particularly in light of the size and complexity of the University of Alberta as an organization, a conceptual framework to guide the investigation was judged to be an important part of the research strategy. In addition, from the perspective that the framework might provide a model for other policy implementation process examinations, it was thought that the case itself could have a theory building dimension as described by Lijphart (1971). That is, to the extent that the framework or model could be shown to constitute a useful approach for analysing policy implementation, the study might contribute to the development of theory on this aspect of the policy process. The provision of new theoretical knowledge, useful both to practitioners and researchers, was also part of the rationale for the study.

It should be clarified that the conceptual framework, while serving as an overall approach to the study and as a guide for data collection and analysis, was not intended to be nor was it used prescriptively to restrict what information was sought or incorporated in the final analysis. Also, in reference to the naturalistic-rationalistic continuum of research approaches described earlier, this study tended towards the naturalistic end. For instance, the conceptual framework itself embodied a naturalistic philosophy in that it was concerned first and foremost with an organizational process and the influence on that process of the organizational context, including the attitudes, beliefs and behaviours of individuals. The framework was based also on assumptions about the interrelatedness and interconnectedness of actions and events within complex human social systems as well as on beliefs that, in order to be understood, these actions and events must be examined in relation to the context in which they occur.

In regard to philosophical positions on whether or not "realities" are subjective or objective, the study took the perspective that it was more useful to consider that both kinds of "reality" may exist and that the search for and understanding of both were important. Nonetheless, the investigation concentrated to a considerable extent on the beliefs, understandings and interpretations of people, or their subjective realities, regarding events and circumstances associated with the implementation of the federal contract compliance program.

Data Collection and Data Analysis

In his book on case study research in which he discussed principles of data collection, Yin's (1989, pp. 95-103) first principle concerned the use of multiple sources of data including documents, archival records, interviews, direct observations, participant-observation and physical artifacts. It was Yin's proposition that "a major strength of case study data collection is the opportunity to use many different sources of evidence" (p. 96) in order for the "investigator to address a broader range of historical, attitudinal and observational issues" (p. 97) and to allow for the development of "converging lines of inquiry," also known as triangulation. He felt that at least two major sources of evidence, which "converge on the same set of facts or findings," are necessary to help establish the "construct validity and reliability of a case study."

Another principle described by Yin (1989) for the purpose of increasing the reliability of the case study was that of "maintaining a chain of evidence" which allows an external observer "to follow the derivation of any evidence from initial research questions to ultimate case study conclusions" (p. 102).

In the present case study, the major sources of data were key informant interviews and document analysis.

Key Informant Interviews

Those who have written about the interview as a method of obtaining research data (such as Berg, 1989, pp. 15-19; Bogdan and Biklen, 1982, pp. 135-139; McCallon and McCray, 1975, pp. 2-6; Sjoberg and Nett, 1968, pp. 193-221) have made note of various types of interviews including: (a) standardized, structured, formal interviews; (b) unstandardized, unstructured informal interviews and (c) semistandardized, semistructured or focused interviews. Though standardized interviews make use of "a formally structured schedule of interview questions" assumed to be "sufficiently comprehensive to solicit from subjects all ... information relevant to the study's topic(s), ... unstandardized interviews do not utilize schedules of questions" as a consequence of assumptions that the interviewer does "not know in advance what all the necessary questions are" (Berg, 1989, p. 15-16). Bogdan and Biklen observed that in more highly structured interviews, there is less opportunity for subjects to tell their stories personally, in their own words, whereas in unstructured interviews, "the subject plays a stronger role in defining the content [and the direction] of the interview" (p. 136).

According to Berg, the semistandardized interview is located along the structured to unstructured continuum:

> This type of interview involves the implementation of a number of predetermined questions and/or special topics. These questions are typically asked ... in a systematic and consistent order, but allow the interviewers sufficient freedom to digress; that is, the interviewers are permitted (in fact expected) to probe far beyond the answers to their prepared and standardized questions. (p. 17)

Bogdan and Biklen also discussed a type of interview which, "although relatively open-ended ... [is] focused around particular topics or may be guided by some general questions" (1982, p. 136). Even though an interview guide might be employed, such interviews allow "considerable latitude" for the pursuit of a range of topics and an opportunity for the respondent to shape the content. At the same time, semistructured interviews enable the interviewer to obtain comparable data across subjects and to focus on particular topics or themes.

Believing interviews to be an essential source of case study evidence, Yin (1989) used the term "focused" to describe a kind of interview which, though open-ended, follows "a certain set of questions derived from the case study protocol" (p. 89). The focused interview, according to Sjoberg and Nett, 1968), "comes to grips with the need for sustaining a degree of organization in the interviewing process, all the while permitting the interviewer considerable leeway in his questioning.... The formulation allows for range, depth and specificity" (p. 214).

Merton, Fiske and Kendall (1990) described what they considered were the four distinguishing characteristics of the focused interview, as follows: (a) persons interviewed have been involved in the "particular situation"; (b) the structure and significant elements and processes of the particular situation have been "provisionally analyzed" by the researcher; (c) on the basis of the provisional analysis, the researcher has developed an "interview guide" setting forth the major areas of inquiry; and (d) the interview is focused on the subjective experiences of persons involved in the particular situation "to ascertain their definitions of the situation" (p. 3).

In addition to the issue of the type of interview to be used for a research endeavour, there is also the question of whom to interview in order to obtain relevant data. Rist (1982) discussed the use of "key informants" as opposed to, for instance, a survey approach in order to get in-depth information about what people believe. The selection of respondents, he suggested, should be based on "what is already known, what is yet to be learned, from whom it could be learned, and how best to gain the information" (p. 444). Powney and Watts (1987) found that in order to get at the "hows" and "whys," it is "more common that informant interviews are used" in order to get "'insider stories', experiences and accounts" (p. 159). On the subject of interviewing for case study research, Yin (1989) also remarked that:

> The investigator may ... ask the respondent to propose his or her own insights into certain occurrences and may use such propositions as the basis for further inquiry. The more that a respondent assists in this ... manner, the more that the role may be considered one of "informant" rather than respondent. Key informants are often critical to the success of a case study. Such persons not only provide the ... investigator with insights into a matter but also can suggest sources of corroboratory evidence--and initiate access to such sources. (p. 89)

For the present study, it was decided that focused interviews with key informants would be the most appropriate and effective approach to obtaining interview data. The key informant strategy was selected because the Federal Contractors Program, as a federal policy requiring policy and procedural changes within the University, necessitated first and foremost decisions by University executive and senior administrators as well as by those holding positions in University administrative structures and offices with responsibilities for academic staff employment and/or human rights policies. Information about the decisions and actions of these individuals, the reasons for their actions, their perceptions of and attitudes towards the federal initiative, and their beliefs concerning the attitudes and actions of others, it was thought would lead to a greater understanding of the implementation process. In light of this, focused interviews were embarked upon because of the need to explore particular topics and themes in considerable depth while at the same time providing an opportunity for respondents to express opinions and relate their own experiences.

For the study, 34 focused interviews, involving 30 different individuals or key informants, were conducted throughout a period of just over one year, between the summer of 1990 and the fall of 1991. The majority of these interviews (26) took place before the end of December, 1990. Another seven occurred from January, 1991 to July, 1991 and one was conducted in November, 1991. All of the persons interviewed held, or had occupied in the past, administrative positions within the University, either as senior or executive officers within the formal structure (Presidents, Vice-Presidents, Deans, Chairs, Associate Vice-Presidents, Associate Deans and Chairs) or as executive or administrative representatives of various other offices or bodies on campus with responsibilities for University employment and human rights policies (for example, Board of Governors, Office of the Equity Advisor, Association of Academic Staff of the University of Alberta, University Secretariat, Personnel Services and Staff Relations unit, Office of Human Rights, President's Commission for Equality and Respect on Campus). Interviewed were 17 administrators and former administrators from the formal University hierarchy, as well as 13 persons who held or had occupied previously administrative posts in various University structures. Among the 30 persons interviewed, there were 12 women and 18 men.

Some individuals were interviewed upon the advice and recommendation of others that these were persons who had played a specific role in or had some knowledge or understanding of, or a unique perspective on, employment equity matters at the University. A few were interviewed not especially for their experience with employment equity but in order for the researcher to gain a better understanding of the operation of the University and the roles and functions of certain positions and structures within it.

Arrangements for interviews were initiated by telephone followed, in many cases, by letters outlining the purpose of the research and the types of information that would be sought, and containing the notation that "principles of confidentiality and anonymity will be adhered to in this research." In instances, however, where the identity of the interviewee would be apparent in any reporting of the data, such as in the case of a President, no assurances regarding these latter aspects were made.

Interviews generally were in the order of one hour in length although some were shorter and a few somewhat longer. At the time of the interview, respondents were asked if the proceedings might be taped, at the same time being informed that verbatim transcripts would be prepared. None of the interviewees refused such permission but two asked to see transcripts of the interview and these requests were honoured. Interview taping was achieved using a Panasonic® microcassette recorder, model RN-OO1D, a Realistic®

omnidirectional microphone, model 33-1089 and one-hour microcassettes (various brands). In most cases (29), tape transcriptions were done by the researcher; in the other five, the work was contracted out. The actual transcribing process, although time-consuming, was found by the researcher to be an invaluable means of becoming more familiar with the material in the interview and of beginning to discern themes and patterns in the data as the research process moved forward.

In three instances, requests for interviews were refused. Two of these involved the Vice-President (Academic) and the Vice-President (Administration) of the day. In neither case did a follow-up letter, explaining in greater detail the purpose of the study, achieve a reversal of the decision declining the interview.

The interviews conducted were semi-structured and focused in nature. In other words, a set of questions was prepared ahead of time guided by: (a) the overall purpose of the study and the conceptual framework; (b) information and insights gained from informal discussions with the Equity Advisor and other academic staff members involved in employment equity endeavours; (c) information obtained from Federal Contractors Program documents and preliminary examinations of certain University documents; and (d) a general knowledge of the respective roles and responsibilities of individual interviewees. In addition to factual information, respondents were asked for their opinions, interpretations and understandings about various concepts, issues, decisions and actions associated with the implementation of the federal program. Also sought were their perceptions concerning the attitudes of others towards decisions and actions taken.

Nevertheless, although certain questions were prepared in advance to seek out specific kinds of information and to pursue certain lines of inquiry, other questions were posed and requests for elaboration or explanation made as new information or additional issues came to light during the course of the interview. Frequently, portions of an interview were more characteristic of a conversation than a question and answer session between inquirer and respondent.

Verbatim transcripts were prepared during the same period as the interviews were being conducted. These transcripts were used to develop new questions for succeeding interviewees in order to corroborate information provided by previous respondents and to obtain additional views and perceptions about certain events. In that sense, the process described by Owens (1982, p. 15) as "member checks," whereby the investigator approaches relevant others in the organization to corroborate data and perceptions, was engaged in as a means of triangulation. The transcripts were used also to decide on questions or areas of inquiry to omit in later interviews after it became evident that there simply was no information to be obtained. For instance, questions concerning the specific provisions and requirements of the Federal Contractors Program were discontinued for Deans when it became apparent that they did not have that level of familiarity with those aspects the program.

As a final note, concerning the reporting of interview data, quite often individual respondents held or had occupied more than one administrative position or position of responsibility for employment policies during the period covered by the study. As well, there were a number of position changes and retirements after June, 1991 which marked the end of the period examined by the study. As a result, in the present reporting of the data, respondents are referred to by the title that best describes their position at the time of the interview in relation to the specific topics and themes under examination. In other words, although a "former AAS:UA Executive member" may have held other positions before and/or at the time of the interview, that particular designation is used if the matter under scrutiny was, for instance, the role of the AAS:UA with respect to the Federal Contractors Program. On a very few occasions, interviewees holding more than one office at the time are referred to by different titles at different places in the report. In these cases, the title used is dependent upon the specific subject being explored. Further, in light of the sensitivity of some of the findings presented in Chapter 8 on Leadership and Resources, in many cases even position titles have been omitted as an extra measure for preserving respondent anonymity.

Documentary Evidence

In addition to directing attention to the value of interviews, Yin (1989) advised that "documentary information is likely to be relevant to every case study topic" (p. 85). He noted as well that this type of information can take many forms (for example, letters, memoranda, agendas, announcements, minutes of meetings, written reports of events, progress reports, internal administrative documents, formal studies and evaluations, newsclippings and media articles) and "should be the object of explicit data collection plans" (p. 85). He indicated further that the usefulness of such documents is not premised on their accuracy or lack of bias. Rather, their most important application "is to corroborate and augment evidence from other sources" (p. 86).

Methods of data gathering such as document analysis, which do not involve "intrusive" or direct interaction between researcher and subject have been named, by Berg (1989), "unobtrusive strategies." Observing that many books on research methods do not mention such procedures, Berg wrote that:

> All ... unobtrusive strategies amount to examining and assessing human traces. What people do, how they behave ... and even how humans are affected by certain ideological stances can all be observed in traces people either intentionally or inadvertently leave behind. (p. 85)

Among the primary types of documents reviewed for the present study were: federal and provincial legislation; federal government employment equity policy papers and guides including several specifically on the Federal Contractors Program; University of Alberta task force and commission reports and other reports produced by the University such as those by the Office of the Equity Advisor; meeting minutes of the Board of Governors, University Senate, General Faculties Council and Association of Academic Staff of the University of Alberta; correspondence including letters, memoranda and notes;

University of Alberta policy manuals and the Faculty Agreement; briefs, petitions, agendas and meeting reports; and letters to the editor, reports and articles in campus publications such as Folio and the AAS:UA Newsletter as well as in mainstream newspapers.

Often documents were sought after reference to them was made during the course of an interview. The search for these items sometimes involved making requests to individuals who were not among those interviewed. In such circumstances, a verbal explanation concerning the purpose of the request was provided along with assurances of confidentiality regarding the identity of the agent in cases where this was requested and/or considered appropriate. Other sources of documentary evidence were pursued, meeting minutes for instance, in order to confirm dates and other matters, to obtain information on the wording of motions and the tenor of particular debates, to ascertain the temporal sequence of certain events, and so on. A written request to the President of the Association of Academic Staff was required to secure access to AAS:UA Council and Executive meeting minutes.

As an additional research strategy, the researcher attended a number of meetings on campus and elsewhere for the purpose of acquiring a better understanding of the context and the issues, hearing about certain decisions, talking informally with knowledgeable persons to get ideas for interview questions, and learning about various pertinent documents. Among these were several Academic Women's Association meetings, a forum on "Employment Equity and Academic Hiring: Legal and Philosophical Dimensions" sponsored by the Department of Philosophy, and the Canadian Association of University Teachers (CAUT) Status of Women Committees' 1991 "Action" conference on a variety of issues of concern to academic women, including employment equity.

Data Analysis

Powney and Watts (1987) put forward the idea that data analysis must "be something more than a direct description of the data" (p. 160). It is, they wrote:

> A creative, constructive affair and is not simply an act of isolating and describing something that might be considered self-evident.... In many respects, analysis is the reduction of data to some manageable amount or "handleable" form. The very task of the analyst is to work through the data and to re-present it in a form that can be appreciated by the intended audience.... Analysis is a reconstructive and not a reproductive process. (pp. 160-161)

Powney and Watts (1987) also quoted from the work of Bliss, Monk and Ogborn (1983) who suggested that the description of the data cannot and should not try to "capture everything." Rather, it "has some ulterior motive which the data does not share: in a word, an analysis is a limited view chosen for a purpose" (p. 161).

It was Powney and Watts' (p. 165) view as well that, in the analysis of interview data, the problem is to separate out the major themes that run through the responses. Sometimes, they suggested, the themes "emerge directly from the questions that have been asked" (p. 166). At other times, themes arise in answer to the researcher's questions as to "what exactly is it that I think is being said here?" Among the techniques they described to facilitate the identification of major themes was the marking of "significant passages" on the pages of interview transcripts" (p. 166).

Lincoln and Guba (1985) said that the units of information selected during a content analysis should be aimed at providing some understanding, as opposed to being merely interesting, and that they should be capable of standing alone, that is, they must be "interperable in the absence of any additional information other then a broad understanding of the context" (p. 145). Like others, they stressed that "the process of data analysis ... is essentially a synthetic one, in which the constructions that have emerged (been shaped by) inquirer-source interactions are reconstructed into meaningful wholes" (p. 333).

Every investigation, according to Yin (1989), should begin with "a general analytic strategy--yielding priorities for what to analyze and why" (p. 105). Thereafter, the data analysis encompasses the "examining, categorizing, tabulating, or otherwise recombining the evidence" to address the questions of the study. Case study investigators, he suggested, in the absence of "cookbook recipes" available to statistical analysts need to apply "rigorous thinking" to the data and provide a sufficient presentation of evidence, giving careful consideration to alternative interpretations. "The ultimate goal," said Yin, "is to treat the evidence fairly, to produce compelling analytic conclusions, and to rule out alternative interpretations" (p.106).

Among dominant modes of case study analysis described by Yin (1989, pp. 113-115) was that of "explanation-building." "The goal of this strategy is to analyze the case study by building an explanation about the case" (p. 113). He noted that explanation-building case studies have been used to provide, for example, "critical insights" into public policy processes and to develop "recommendations for future policy actions." Nonetheless, while espousing that some of the best case studies in organizational research have been those which attempted to explain certain phenomena, Yin (1981) cautioned that "there are no fixed recipes for building or comparing explanations" (p. 61).

For the present study, it should be noted that the temporal boundaries for the major part of the investigation were March, 1987, which marked the time of the University's agreement to develop an employment equity plan, to June, 1991. Because the University's relationship with the federal government on the contract compliance program is likely to continue for several years to come, it was necessary to select a point beyond which the study would not proceed. June, 1991 was chosen because this period marked a turning point in the contractual arrangements between the University and the federal government, and the commencement of a new phase in the University's response of the Federal Contractors Program. More specifically, it was in May of 1991 that the federal government asked to review the University's employment equity plan and, upon learning that the University had as yet no formal plan, gave the institution one year to produce the necessary documentation. In June of 1991, University President Paul Davenport notified the University community of the institution's plans to comply with this requirement.

Further, although there were many new developments at the University after June, 1991, the researcher purposely did not examine these in detail in order to avoid any inclination to interpret data already collected in light of more recent events.

Data analysis took place concurrently with and subsequent to the gathering of the data, although more emphasis was placed on analysis and less on data collection as the study progressed. The organization and analysis of data were guided by the general structure and major themes provided by the conceptual framework as well as by the various areas of inquiry entered into during the investigation, both as planned and as they evolved. Documentary information was used to provide a context for the interview data; to augment, corroborate or, sometimes, contradict the accounts of respondents; and to provide additional related examples, details and other factual information. Considerable effort was made to ensure that the interview and documentary evidence, in order to increase reliability and validity, converged on the same set of issues, questions and findings. In order to assist readers in discerning the sequence of decisions and activities around the employment equity issue, a chronology of major events has been included in this report as Appendix N.

As suggested by writers who have highlighted the difficulties of managing the large amounts of data often generated during a case study, the data were reported with the aim of enlarging the evidence on particular topics or themes, adding to understanding and providing explanations, rather than just because they were interesting. Attention was given also to providing the right combination of description and analysis and avoiding the temptation to try to "capture everything."

CHAPTER 4

FEDERAL CONTRACTORS PROGRAM: THE POLICY AND HISTORICAL CONTEXT

Background

Following the release of the Report of the Commission on Equality in Employment (Abella, 1984), the federal government introduced the Employment Equity Act which requires all federal Crown corporations and federally-regulated employers (primarily banking, transportation and communications) with 100 or more employees to implement employment equity and to report annually on their progress according to prescribed regulations and reporting procedures. As stated in one of the policy guides published by the federal government:

> Implementing employment equity programs involves making reasonable accommodation, as well as identifying and removing barriers to the selection, hiring, promotion and training of designated groups. Employers must consult with persons designated by the employees to act as their representatives, or with a bargaining agent in cases where one represents the employees. Employers must also initiate special measures that improve employment opportunities of designated groups by increasing their participation level in all occupational groups within the company. (Canada, 1990d)

The required annual reports must provide information on the representation of all employees, including members of the designated groups, by occupational group and salary range and on those hired, promoted or terminated for the full year. Failure to submit a report to the Canada Employment and Immigration Commission can result in a fine of up to $50,000. The annual reports are provided to the Canadian Human Rights Commission which has the authority under the Canadian Human Rights Act to initiate an investigation if it has reasonable grounds for believing that systemic discrimination exists. The reports are made available as well to members of the public who also can file complaints with the Canadian Human Rights Commission where they have reasonable grounds for believing that systemic discrimination exists (Canada, 1990d).

The Employment Equity Act, however, does not affect private sector employers which are not federally-regulated, nor public sector organizations and Crown corporations that fall under provincial jurisdiction. Therefore, in order to extend its influence in encouraging Canadian organizations to introduce employment equity measures, the federal government established the Federal Contractors Program.

Federal Contractors Program

Sometime after the August 13, 1986 proclamation of the Employment Equity Act, the federal government enunciated, by way of Treasury Board Circular no. 1986-44 on October 1, 1986, a policy intended to encourage private sector employers and public sector organizations and Crown corporations not under federal jurisdiction to introduce employment equity programs. The stated objective of the policy is "to ensure that federal contractors who do business with the Government of Canada achieve and maintain a fair and representative workforce" (Canada, 1987a). It requires that contractors introduce measures to identify and remove artificial barriers to the selection, hiring, promotion and training of members of the designated groups, and take steps to improve the employment status of these groups by increasing their participation at every level in the organization.

Under the Federal Contractors Program, all suppliers of goods and services with 100 or more employees, who are seeking to bid on contracts worth $200,000 or more, must sign a Federal Contractors Program Certificate of Commitment to Implement Employment Equity (Appendix A). According to the wording of the Certificate of Commitment, an organization which signs this agreement:

> Undertakes to implement employment equity in keeping with the Criteria for Implementation. This document, duly signed by the chief executive officer, constitutes a Certificate of Commitment which, under the Federal Contractors Program for Employment Equity, is a prerequisite for the validation of bids submitted in the circumstances listed above. (Canada, 1987a)

An information brochure developed for contractors further indicated that, after signing a Certificate of Commitment, an organization's failure to comply with the "prescribed employment equity measures can result in the loss of the opportunity to compete for future government business" (Canada, 1987a). This same publication outlined five essential steps in the implementation and operation of the Federal Contractors Program:

1. Certification - suppliers who employ 100 persons or more, and who wish to bid on contracts worth $200,000 or more, first must certify in writing their commitment to implement employment equity according to specific criteria.
2. Implementation - employment equity must be implemented according to the terms and conditions of eleven specific criteria (which are described more fully below).
3. Compliance Review - in-depth compliance reviews are conducted by the Canada Employment and Immigration Commission and involve reviews of contractor records and documents, assessments of compliance with program criteria and the results obtained, and measurements of the extent of the efforts made by contractors on behalf of the designated groups and the performance levels attained.
4. Appeal - contractors have the right to appeal unfavourable compliance reviews and, where they do, independent studies will be undertaken and the results forwarded to the Minister.
5. Sanctions - in the event that the results of an independent review indicate a failure to comply, sanctions will be applied including the eventual exclusion of the contractor from bidding on government contracts.

The eleven criteria for implementation referred to above comprise the following, and are shown in full in Appendix B (Canada, 1987a):

> 1. Communication by the organization's chief executive officer to employees, unions and/or employee associations of the commitment to achieve equality in employment through the design and implementation of employment equity.
>
> 2. Assignment of senior personnel with responsibility for employment

equity.

3. Collection and maintenance of information on the employment status of designated group employees, by occupation and salary levels and in terms of hiring, promotion and termination in relation to other employees.

4. Analysis of designated group representation within the organization in relation to their representation in the supply of qualified workers from which the contractor may reasonably be expected to recruit employees.

5. Elimination or modification of those human resource policies, practices and systems, whether formal or informal, shown to have or likely to have an unfavourable effect on the employment status of designated group employees.

6. Establishment of goals for the hiring, training and promotion of designated group employees. Such goals will consider projections for hiring, promotions, terminations, lay offs, recalls, retirements and, where possible, the projected availability of qualified designated group members.

7. Establishment of a work plan for reaching each of the goals in 6 above.

8. Adoption of special measures where necessary to ensure that goals are achieved, including the provision of reasonable accommodation as required.

9. Establishment of a climate favourable to the successful integration of designated group members within the organization.

10. Adoption of procedures to monitor the progress and results achieved in implementing employment equity.

11. Authorization to allow representatives of the Canada Employment and Immigration Commission access to the business premises and to the records noted in 3 above in order to conduct on-site compliance reviews for the purpose of measuring the progress achieved in implementing employment equity.

These criteria for implementation under the Federal Contractors Program reflect the federal government's view that, first of all, the successful implementation of an employment equity program is dependent upon the senior administration's degree of commitment to the program and the way in which this commitment is communicated to other members of the organization. They recognize as well that implementation success depends on the extent to which unions or staff associations are involved in and committed to the establishment of such a program.

A senior level individual appointed by the chief executive officer must, according to the federal criteria, have the necessary level of authority, responsibility and status to gain the cooperation of employees, employee association officials and managers at all levels in the organization.

The criteria are concerned not only with increasing the numbers of designated group members within the organization but also about their movement upwards and laterally to all levels and positions throughout the organization. They require, therefore, that systemic discrimination, where employment policies and practices have unintentionally adverse effects on the employment of designated group members, be addressed. This can be achieved by way of employment systems reviews where all procedures associated with recruitment, selection, training and promotion are analyzed for their possible unfavourable impacts on certain groups, and where any policies, practices or systems which are found to have negative effects are modified or eliminated.

In addition to dealing with systemic discrimination, employers are requested to establish goals and timetables for increasing the participation of designated groups in all occupations and at all levels in the organization, and to describe these goals and timetables in a workplan which contains reasonable completion dates or deadlines in order that periodic reviews and evaluations can be conducted.

The criteria for implementation recognize that the adoption of special measures such as day care, flexible work arrangements, counselling or reasonable accommodation for disabled persons may be necessary to alleviate the specific employment problems facing designated group members. They reflect, as well, an awareness that a working environment must be established which is favourable to the integration of designated group members within the organization and where there is an appreciation for and acceptance of the objectives of the employment equity program.

Finally, the criteria address monitoring and evaluation issues and make provision for on-site compliance reviews involving Canada Employment and Immigration Officials.

In the way of resources to assist employers with the establishment of employment equity practices in their workplaces, the federal government has produced a number of documents intended to serve as guides for program development and implementation. Some of these are Employment Equity Act and Reporting Requirements (Canada, 1986), Employment Equity: A Guide for Employers (Canada, undated), Federal Contractors Program - Information For Suppliers (Canada, 1987a), Employment Equity: Federal Contractors Program - Questions and Answers (Canada, 1987b) and Employment Systems Review Guide - Technical Training Manual on Employment Equity Module 3 (Canada, 1989).

One of the most detailed of these publications, the Employment Equity: A Guide For Employers (Canada, undated), provides background on and a rationale for the federal government's employment equity initiatives, including specific information on why there is a need for employment equity measures to be undertaken on behalf of the four designated groups, namely, women, visible minorities, Native persons and persons with disabilities. Key concepts associated with employment equity, such as "representative workforce", "employment systems", "special measures" and "reasonable accommodation," are explained, and the basic steps for establishing an employment equity program are described in some detail. For example, employers are advised that:

> The organizational environment into which the Employment Equity program is introduced will have a significant effect on the planning and management of ... [the] program. Employment Equity is most successful when commitment and support at senior levels is visible and consistent. (p. 15)

Recognizing also that variations in organizational structure, such as those related to size, degree of centralization, type of industry and the nature of industrial relations would have an effect on program implementation, the federal government suggested that the approach of the organization should include the assignment of a senior level program manager, a joint labour-management committee, an employment equity advisory committee, and designated line management responsibility and accountability. The necessity of consultation with employee bargaining units in particular was emphasized, and employers were reminded that "employers covered by the Employment Equity Act are legally obligated to consult with designated employee representatives, or, in unionized settings, with bargaining agents" (p. 16).

As a final note, the publication advises that the federal government will provide professional consulting services, technical assistance and packages of workforce data, at no cost, to employers, and it lists the offices to contact to inquire about this assistance.

Another document, the Employment Systems Review Guide - Technical Training Manual Module 3 (Canada, 1989), is intended to facilitate the review by organizations of their employment policies and practices, with a view to identifying and eliminating those which result in systemic discrimination. Defining systemic discrimination as:

> The exclusion of designated group members ... through the application of employment policies and practices based on criteria that are not job-related nor required for the safe and efficient operation of the business, (p.1)

the guide provides step-by-step instructions for examining whether an organization's existing employment systems, in areas such as recruitment, selection, training and development, upward mobility, job evaluation, compensation, employee benefits and conditions of employment, result in discriminatory outcomes. Further, it not only suggests ways in which these outcomes can be remedied but describes special measures that can be undertaken to "redress the effects" of past discrimination.

The argument has been made, nevertheless, that the federal program is not appropriate for complex organizations such as universities because it assumes a top-down, hierarchical decision making structure where orders issued by a chief executive officer are acted upon without question by those at lower levels. The relationship between university structure and governance and the implementation of employment equity policies will be addressed in greater depth in later chapters.

Federal Contractors Program and the University of Alberta

For what presumably is an important initiative from the perspective of the federal government, information about the Federal Contractors Program was communicated to Canadian universities apparently in a number of different and inconsistent ways. The result was that while some universities received notification directly from the federal government, others got information secondhand from sources such as the Association of Universities and Colleges of Canada (AUCC). The means by which the University of Alberta acquired details about the program were several. However, because of the time elapsed, the small number of people involved in the actual decision to commit the University to the program (some of whom were later unwilling to be interviewed) and the lack of written records, it is difficult to trace the full course of events.

Professor Doris Badir, the former Special Advisor to the President on Equity Matters, indicated that the University of Alberta first heard about the Federal Contractors Program applying to universities in August of 1986, not from the federal government itself but from the University of Calgary. The University of Calgary had received a letter advising that they would have to comply with the requirements of the program since they had contracts in excess of $200,000. Not all universities received such communications, however, including the University of Alberta which, to Professor Badir's knowledge, never did receive any such official correspondence from the federal government.

At about the same time, the Association of Universities and Colleges of Canada (AUCC), which had become aware of the relatedness of the Federal Contractors Program to universities, decided that every Canadian university should be notified about what the program consisted of and what the contract that had to be signed looked like. In order to inform the universities more fully, the AUCC engaged in several meetings with Canada Employment and Immigration officials regarding interpretation and implications, and then forwarded the minutes of the meetings and other information about the program as a package to universities. According to the former Equity Advisor, the AUCC remained silent on issues such as university autonomy and each university was left to decide for itself whether or not it wanted to sign.

During the fall of 1986, the Equity Advisor visited several Ontario universities, including the University of Western Ontario, the University of Toronto, Guelph University and York University in order to learn more about their hiring practices with respect to women, particularly in light of the initiatives of the Ontario Council of Universities and the Government of Ontario's incentive program which provided special funding to encourage employment equity actions. She conferred with them also, and with the University of Calgary and the University of Manitoba, about the Federal Contractors Program because "at that time, we still hadn't decided whether or not we were going to deal with the federal government issue, but we were certainly going to deal with the whole issue of employment of women." In Edmonton, the Equity Advisor consulted with representatives of the local Canada Employment and Immigration Commission office.

At the University of Alberta, deliberations on how to respond to the federal program took place, for the most part, among the President, the Vice-President (Academic), the Vice-President (Administration), the Vice-President (Research) and the Equity Advisor. The Equity Advisor remarked on this situation noting that the discussions which took place around the signing, as well as the actual decision, were limited to members of President's and Vice-President's Committee and the Equity Advisor. Now, she realized, there should have been some discourse in the larger environment, particularly with the Deans and Chairs, in order that:

> At least what we now think of as senior administration, not just Vice-Presidents but Deans and Chairs, were also a part of the decision making process because they weren't. They were told about it afterwards. We'd made this decision, we'd signed this agreement and this is what it means.

Further, she said, the program was explained to them in terms of the benefits that would accrue relative to research and the advances that could be made toward the University's goal of creating a system which provided more equitable treatment. "Nothing was said about, and this was an omission as much as anything, nothing was ever said about the degree to which there would be pressure placed upon people to conform to the requirement."

That the Deans were not involved in the agreement to sign was corroborated by former President Dr. Myer Horowitz who indicated that "they certainly weren't called upon to make a decision." He did suggest, however, that they knew of the existence of the program and had asked in Deans' Council meetings questions as to "when are we going to sign? Why are we going to sign?"

Primary among the factors influencing the decision to sign was that of ensuring the University's access to federal research funds. This was especially so since it was becoming increasingly apparent that there would be a ceiling on funding available from the Provincial Government and that other sources of funding would have to be located in order to keep research programs going. Former President Horowitz spoke of the awareness about the potential for greater dependence by the University on federal research grants, in view of the overall decline in federal support for post-secondary education through Established Programs Financing (EPF) and the expected consequent reduction in provincial operating grants.

An Associate Vice-President shed some additional light on this aspect, indicating that not only was there a concern about ensuring access to contracts but that:

> One of the things we were afraid of was that the feds would get into research grants instead of just contracts. And that's $50,000,000 or something of NSERC or SSHRC or whatever grants. And we just couldn't possibly exist if they ever shifted to that ... so we thought we had better get in on the ground floor. We saw that there was nothing really wrong with doing it. This was our avowed goal anyway not to discriminate against people so how could we really refuse to participate.

It was the matter of access to research funds which led to the March, 1987 signing, by the President, of the Certificate of Commitment. As the Equity Advisor described the moment:

> I can remember sitting in the President's office and talking about it with

> them[2] ... with Gordin Kaplan,[3] of course, being a very strong research-oriented person and very strongly interested in getting more research money into the University ... saying, "I think we've got to sign," and everybody else nodding their heads in agreement.

She added that there was no question in her mind that they had little choice but to sign because "we would have had the whole research community of the University down our necks if somebody, if just one person had been told that they didn't have the right to apply for a contract, of that their application would not be accepted."

Another major issue for Canadian universities relative to the agreement with the federal government was, according to the Equity Advisor, that of university autonomy:

> The questions that the universities had with signing the agreement had largely to do with the maintenance of the universities' autonomy--the degree to which the federal government was going to say, "you haven't lived up to our expectations therefore ..." I think the universities were primarily concerned about losing their autonomy with respect to what is considered by all university people to be a sort of inherent right ... to hire their own.

Former President Horowitz felt that the approach of the federal government was unnecessary:

> When I began to hear of the details ... I was just downright irritated that, in my view, the feds were getting in the way because we were not an institution that hadn't done any thinking [about equity issues].

He referred to his appointment of a Special Advisor on Equity Matters and gave credit to the Academic Women's Association, particularly the leaders whom, he said, had had an impact on his thinking and planning. As well, he felt that much educating, changing of attitudes and winning people over had taken place and that the University was moving in the right direction. As a result, he had indicated to federal officials who were present at an AUCC Board meeting in Ottawa, which he attended in the fall of 1986, that while he didn't question the federal government's desire to have some influence, he thought they should approach each institution individually, taking into consideration how far each had moved:

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[2] The former President, the Vice-President (Academic), the former Vice-President (Administration) and the former Vice-President (Research).

[3] The former Vice-President (Research).

> I just knew that when they listened to us and found out where we were--clearly not as far along as where I wanted us to be ... but we were moving, I knew that they would acknowledge that we were moving in the right direction--that they'd let go of the particulars of their requirement.

However, they did not agree to this and, said Dr. Horowitz, he has since wondered whether he made the right decision:

> I accept full responsibility for the decision we eventually made to sign.... I'll always wonder whether that was the right decision.... I wasn't pressured into it by Doris or anybody but ... I had to weigh the penalties that my colleagues would have experienced. And yet, the piece of me that relates more to principles, principles philosophical or educational, caused me to wonder then and causes me to wonder now whether the advantages outweigh the disadvantages.

He recounted also having had, in May of 1987, soon after the signing, a conversation with Gordon Fairweather[4] which had been "a real wrestling match." In this interchange, Dr. Horowitz said he had labelled the federal initiative an "intrusion" and had challenged Mr. Fairweather with the question, "don't you realize what is going on is counter-productive"?[5]

Dr. Horowitz touched also on the matters of jurisdictional responsibility and university autonomy noting that, during his ten years as President, he had dealt with a number of issues which had to do with federal involvement in the affairs of the University. He admitted, as a Quebecer by birth and an Albertan by adoption, to being a strong supporter of provincial rights acknowledging that "as soon as I would hear that the feds were trying to have some control ... a particular set of antennae [would go up]. It seems to me they've had a genius for botching up most things in which they've become involved." Nevertheless, he said:

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[4] At that time, Gordon Fairweather was the Chief Commissioner of the Canadian Human Rights Commission.

[5] The particular event around which this exchange took place was a May 29, 1987 professional development workshop for academic staff for the purpose of addressing:

> The philosophical and pragmatic issues which have arisen on matters of employment equity and equality of employment opportunities since Judge Rosalie Abella's visit to Edmonton 18 months ago.

According to an advertisement for the workshop in Folio (University of Alberta, 1987), persons "who have a special interest in human rights issues and Bill C-62 [federal Employment Equity legislation] are invited to attend." Among the invited speakers were, in addition to Gordon Fairweather, Neil Gavigan from Employment and Immigration Canada in Ottawa and Stan Scudder, who was Chairman of the Alberta Human Rights Commission. The session was moderated by Professor Doris Badir, Equity Advisor to the President.

> When I reviewed everything, I felt that I was willing to make a distinction between my own view ... for the University and what, in my view, seemed to make sense as the University's position.... And so, the time came when I felt that the right thing for the University was, to put it in Pierre Trudeau language, to hold my nose and sign.

He has since sometimes wondered, however, whether he shouldn't have invested more energy into trying to muster support among the Presidents of other universities for the development of a joint university position against the federal "intrusion." This was because, "with the exception of a few in the East who were enamoured with federal intrusion, most of us held our noses and signed, those of us that did."

The Equity Advisor was interested in how the Federal Contractors Program would help the University to move more quickly in the direction of employment equity and, as a consequence, she said:

> It was my recommendation to the President that we sign and the reason that I felt it was important to sign was, pure and simply, that it provided us, I thought, with a format for keeping track of what we were doing. I saw it as being a kind of program that if we followed it ... we would know exactly what we needed to do and how far we had got along the way. It was a way of measuring our progress.

Professor Badir acknowledged that she did not appreciate well enough, at that time, the full implications of signing. She thought it was a "good thing because it would push us to take certain steps that we had to take anyway" but, she added, "little did I understand the complexity of the reporting format, little did I understand what it was they were going to require of us."

These issues, including those of university autonomy, the attitudes and commitment of the University's senior administrators towards the Federal Contractors Program and the ways in which information about the program was communicated to the University community will be analyzed in greater depth in the chapters to follow. Nevertheless, it is perhaps understandable at this point why, for example, there was no announcement by central administrators to inform the University community at large about the signing of the Certificate of Commitment and the University's agreement to the terms of the Federal Contractors Program.

Dr. Horowitz indicated that he could not recall making any kind of public statement which "may be the best indication that there wasn't" one from him. He cautioned, however, that "you mustn't assume that because there was minimal communication from the President ... that people out there were unaware."

A review of 1987 editions of the campus publication Folio showed that during the months following the March, 1987 signing, no public statements by any senior administrator about the federal program were reported in that publication. It was not until March 17, 1988, a year later, that an article appeared on the President's view towards employment equity, as he had expressed it to the University Senate:

> In his report ... President Horowitz focused on the University's commitment to employment equity, outlining the numerous ways in which advances have been and will continue to be made.... Dr. Horowitz explained that during the last year the University has underlined its commitment to equity by agreeing to comply with the requirements of the Federal Government Employment Equity Act. Now, he says, "our scholars will be able to compete for federal contracts." (University of Alberta, 1988a)

According to the article, Dr. Horowitz went on to say, however, that:

> This commitment to equity in no way will impede academic quality. "Let me say as clearly as I know how that this University continues to strive for excellence. No one need fear that our concern for equity will compromise the importance we place on our employing qualified individuals who advance on merit. We have no intention of requiring our units to improve the representation of women ... and disadvantaged persons at the expense of quality."

The Equity Advisor said, regarding the matter of a public policy statements by the former President:

> We never got a President's statement on equity. I mean, he made speeches, he made a speech before he appointed me at some point, at Convocation, on the whole question of equity, and he made a Convocation speech on the whole issue of pay equity. But those are the only things. He never published a statement that appeared as a "this is the President's belief with respect to equity."... I think that was a major issue, that we never really ever did get a statement.

Federal Contractors Program In Other Canadian Universities

The April, 1991 edition of the CAUT Bulletin (Canadian Association of University Teachers, 1991) contained a special Status of Women Supplement on "Employment Equity for Women: A Status Report 1991." The supplement provided an outline of the requirements of the Federal Contractors Program and a history of Canadian Association of University Teachers' activities to promote employment equity endeavours in Canadian universities over the past several years. In presenting a national perspective on progress made by universities towards implementing federal employment equity requirements, the supplement reported that:

> A comparison of university employment equity profiles points to the unevenness of attention to and the development of employment equity.... Moreover, this comparison suggests that equity action is accelerated at those universities which have taken advantage of provincial initiatives and are members of the Federal Contractors Program.... Although universities participating in the program are required to conform to 11 program-related criteria, not all members have done so. Not surprisingly, the requirements of the Federal Contractors Program appear to mobilize many university signatories to undertake equity action when they are under review. (Drakich, 1991 p. 1)

Thirty universities were listed in the supplement (1991, p. 3) as being certified under the federal program (Table 4.1). The October, 1990 CAUT Bulletin (Canadian Association of University Teachers, 1990, p. 10) reported that four universities had successfully completed the initial compliance review process, as follows:

University of Calgary, Alberta (July, 1990)
Carleton University, Ontario (December, 1989)
University of Manitoba, Manitoba (February, 1990)
University of Ottawa, Ontario (September, 1989)

Table 4.1

Universities Certified Under the Federal Contractors Program

as of April, 1991

Newfoundland
Memorial University of Newfoundland

Nova Scotia
Dalhousie University
Mount St. Vincent University
Technical University of Nova Scotia

New Brunswick
University of New Brunswick

Quebec
Concordia University
McGill University
Universite Laval
Corporation de l'ecole Polytechnique
Universite du Quebec a Montreal

Ontario
Carleton University
McMaster University
Queen's University
Ryerson Polytechnical Institute
Trent University
University of Guelph
University of Ottawa
University of Toronto
University of Waterloo
University of Windsor
York University
University of Western Ontario

Manitoba
University of Manitoba

Saskatchewan
University of Saskatchewan
University of Regina

Alberta
University of Alberta
University of Calgary

British Columbia
Simon Fraser University
University of British Columbia
University of Victoria

(Canadian Association of University Teachers Bulletin, April, 1991, Status of Women Supplement, p. 3)

Historical Context

As discussed in Chapter 2, the previous experiences of an organization in connection with certain concepts or undertakings can have an influence on any new activities in the same area. Past failures to introduce particular policies or programs, for example, and any negative feelings and attitudes generated by these efforts, can predispose the members of an organization against viewing favourably any subsequent action on the issue. Likewise, previous successes in getting particular ideas accepted or measures adopted can create a receptive environment for further initiatives.

This next section is intended to describe the historical context concerning employment equity at the University of Alberta in which the Federal Contractors Program was introduced. It provides some background on the issues of systemic discrimination and the underrepresentation of women among the academic staff and illustrates, through examples of past responses to these concerns, the degree of receptiveness towards addressing them. While several highlights are chronicled of the work of individuals and groups on campus in trying to bring about change in the direction of employment equity, this is not intended in any way to be a comprehensive review of all that transpired on behalf of University women relative to their employment status and working conditions. Rather, the focus is on key events and activities which, in some instances, resulted in change or served as catalysts for further action while, in others, clearly illustrated the difficulties, in a complex organization such as a university, of gaining recognition for the problems and acceptance that something should be done.

The Senate Task Force on the Status of Women: Report on Academic Women

In 1973, the University Women's Club of Edmonton advised the University of Alberta Senate of their concerns that women at the University were being discriminated against and asked the Senate to undertake a study of the situation. This action on the part of the University Women's Club was an outcome of earlier work by Dr. Jean Lauber who, in 1972, had become concerned about the small percentage of women among the academic staff and had done a study. As Dr. Lauber recalled:

> It was a study that was more or less blessed by the AAS:UA[6] although there were very few people on the AAS:UA ... who cared about women's issues. We found ... that there were about 15% women on staff. And we published this study in the AAS:UA newsletter but it was in the spring ... and nobody took any notice at all ... nobody paid any attention to it. So it just sat there for a year while I was ... saying, "look, this is awful, aren't you interested?" And nobody was.

As a consequence, Dr. Lauber and a number of other academic women approached the University Women's Club which then wrote to the University Senate. In reply, the Senate moved in May, 1973 to undertake a study and a Senate Task Force on the Status of Women was established, chaired by June Sheppard (University of Alberta Senate, 1975).

The Task Force attempted, by way of questionnaires, to determine the perceptions of members of the academic staff about the status of women on campus. Secondly, a statistical study and analysis of the academic workforce, taking into consideration matters such as rank, term of appointment, salary and promotion, was carried out by the Office of Institutional Research and Planning. Finally, personal interviews were conducted with faculty members who agreed to participate. The results of the study were released in the March, 1975 Senate Task Force Report on Academic Women which concluded that "discrimination against academic women on the basis of sex does exist at the University of Alberta."

Among the other conclusions of the report were the following:

1. The majority of academic staff believed that men received preferential treatment in all areas of academic life and, in particular, at the point of entry and in appointments to administrative positions.

2. Among the teaching staff in total, 85.1% (1305) were male and 14.9% (228)

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[6] AAS:UA is the Association of Academic Staff of the University of Alberta.

were female.[7] Of teaching staff members who were tenured or in tenure-track positions, 13.2% (179) were women and 86.8% (1176) were men.

3. Salary differentials, at all levels and in all faculties, existed between male and female academic staff members with the same qualifications, experience and other job characteristics.

4. Where entry characteristics were the same, women were hired to lower positions than men and stayed in these positions longer. The result was that, on average, women with the same job characteristics as men occupied relatively lower ranks.

5. While 73.3% of all men faculty members had tenure, only 52.6% of the women were tenured. Proportionately, twice as many women as men were on temporary or sessional contracts.

6. Women academic staff were nominally represented on standing and ad hoc committees.

A total of 15 recommendations were put forward aimed at the Board of Governors, the President, the Vice-President (Academic), and Deans and Directors. Among these were recommendations that:

1. A policy statement on sex discrimination be adopted and published in all relevant university documents.

2. The President establish a review committee to investigate and bring forward specific proposals for improving the status and numbers of women in all faculties and schools, particularly in those where women were underrepresented.

3. A professional, external study be conducted on the status and employment patterns of non-academic women with special reference to the personnel classification system.

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[7] These figures represent teaching staff and do not include Professional Librarians or Administrative Professional Officers.

4. A Dean or Director of Women's Affairs be appointed at the senior level to report directly to the President. Duties were to include research, advocacy, grievance reviews and education.

5. The Vice-President (Academic), in his capacity as Chair of the General Promotions Committee, carry out a systematic review to identify and rectify unjustifiable salary differences among the academic staff.

6. When academic vacancies occur, the Vice-President (Academic) place the onus on Deans and Directors to justify when a women is not hired.

7. The Vice-President (Academic) keep records as to the yearly number of academic appointments, the sex of appointees, and the number and sex of applicants for positions, and publish these statistics annually.

8. Administrative officers of the University investigate and bring forward proposals concerning more flexible and imaginative work patterns for both male and female staff, including part-time and shared tenurable positions.

9. A University-wide system of maternity benefits be established; also that the University of Alberta assume greater responsibility for expanded, subsidized day care facilities on campus.

10. Every effort be made to increase female representation on all committees but especially on those that are central decision making bodies.

Other recommendations concerned the need for action to encourage women to enter and complete graduate studies and for a study on women students with special reference to counselling, the numbers and academic standing of women entering and graduating from the University as compared to men, and drop-out rate comparisons in each degree program.

Despite the optimism surrounding the release of the Senate Task Force report, where there was a feeling that "if we just had some suggested policies in place, everything would be fine," the aftermath was such that Dr. Lauber has since concluded:

> I think nothing would have happened even after that if we hadn't kept pushing. It seemed to progress very very slowly indeed but at least we had something to look back to and we could say, "look, University, this Task Force from your very own Senate has said ... and so on." And so, gradually, at least they began to recognize that this was a thing that should have the attention of the University administration.

One outcome of the Senate Task Force study was the 1976 decision by the Vice-President (Academic), then Dr. Myer Horowitz, to approach the Board of Governors with a proposal to create a new Associate Vice-Presidency. According to Dr. Lauber:

> His commitment at the time, and he said this to the Board, was that there should always be at least one woman in the sphere of the Vice-President (Academic) and there should always be at least one man. And it wasn't too long after that that I was appointed Associate Vice-President (Academic).... When I left that post, Amy Zelmer was brought on and then after Amy left, Dianne Kieren.

Among the first tasks assigned to Dr. Lauber as Associate Vice-President (Academic) was that of chairing a committee to undertake a systematic review of the salaries of academic women, as had been recommended by the Senate Task Force.

Committee for the Systematic Review of the Salary/Rank History of Academic Women

Following the release of the Senate Task Force report, Deans' Council approved a proposal on April 28, 1976 that the Vice-President (Academic) together with the President set up a committee to review the salary/rank history of academic women at the University of Alberta. A Systematic Review Committee was established, chaired by Dr. Lauber, and this Committee presented its recommendations to the Vice-President (Academic) and to Deans' Council on September 12, 1977.

The recommendations were made on the bases of analyses of (a) computer-generated data where a "matched peer" approach was used to compare the salaries of men and women with the same job characteristics (e.g. year of appointment, highest earned degree, present rank, tenure status), and (b) the responses to a follow-up questionnaire (regarding employment history, publications and teaching record) from those women identified as possibly experiencing salary inequities, and after discussions with the respective Deans regarding the academic women in their faculties who were identified as being underpaid.

The result was that requests for salary adjustments for 89 women academic staff members were made. However, the September 12, 1977 report to the Vice-President (Academic) and Deans' Council pointed out that:

> In a few cases we quite frankly recommended what we thought the market would bear - there is no sense in recommending correction of an apparent $10,000 discrepancy when the Dean says that any adjustment over $100 would throw the Faculty Salary and Promotions Committee or the Department into open rebellion.

Other recommendations were made for changes to the classification and salary systems for Administrative Professional Officers (APO's) and for a review of the conditions of employment for sessional instructors. Relative to this latter concern, the Committee identified approximately 25 "hardship cases" of women who had been in temporary positions for a considerable period of time and whose careers and lives were suffering as a result. On this issue, the Committee observed that:

> We recognize that most of them do not fall within the mandate of our committee. Some brought their own cases forward when they heard of the existence of our committee, in the hope that something could be done for them, or just that somebody would finally listen.

Another key recommendation was for the annual monitoring of academic staff salaries to ensure continuing equitable treatment. This recommendation was made because of the Committee's fear that:

> Salary inequities such as we have uncovered could reappear at a later time. Although we feel that our study has done much to "raise the consciousness" of the university community with respect to equal opportunities for women, it is not to be expected that attitudes and practices would change quickly and completely.

On February 23, 1978, Deans' Council established a sub-committee, chaired by Dr. Horowitz, Vice-President (Academic), to deal with these recommendations. The sub-committee determined that 51 of the 89 women for whom salary increases had been proposed would receive salary adjustments ranging from $500 to $2,000. The remaining recommendations of the Systematic Review Committee were not dealt with at that time (University of Alberta, 1978).

By way of a note to a colleague in 1981, Dr. Lauber reflected on the outcome of the work of the Systematic Review Committee:

> This led to about 50 women getting raises - average of about $1500, I believe. We were never told who they were or how much, or the reasons why the other 35 or 40 we recommended didn't get increases.
> I got mad all over again rereading this. I've copied parts for you so you can see the methodology we used - for whatever good it will do you. Also note section on APO's - for whom we were able to do nothing. Likewise sessionals. Also note what I called in the report the "hardship cases" - those I referred to the other day as "women in limbo." Some of these may no longer be around - but that, too, says something about the university as employer. Also note "future monitoring" - which never happened.

In a 1990 interview, she recalled that:

> We recommended that there be a repeat of this systematic review process by somebody other than the General Salaries and Promotions Committee.... Well, they never have done a complete computer review again but they have been willing to look at individual cases of people who seem to be lower on the scale than one would expect.... The bodies to whom they have been brought have been a little more sensitive than they formerly were, I think ... but still, there's a long way to go.

Women in Scholarship, Engineering and Science Task Force (WISEST)

In April of 1982, Dr. Gordin Kaplan, Vice-President (Research) at that time, established the Women in Scholarship, Engineering and Science Task Force (WISEST) because of his concern about the low representation of academic women in the sciences and engineering. The purpose of the Task Force was to investigate the reasons for this underrepresentation and to do something about it (University of Alberta, 1982a).

This concern was similar to that expressed by the Senate Task Force (University of Alberta Senate, 1975) about the lack of role models for women students in those faculties which appeared to be "male enclaves." The Task Force observed that:

> The dearth of women in certain faculties means there are few or no models or examples on this campus of women who have chosen these professional routes. Few women students therefore have roles to emulate. They would appear to have little encouragement to break through the traditional barriers no matter what their personal skills, intellectual capacities or desires may be. (p. 19)

Concluding that both men and women faculty might be reluctant to encourage women to pursue studies in these disciplines (although perhaps for different reasons), the Task Force concluded that "if the University is to do more than simply reinforce outmoded values, then the circle must be broken deliberately and new patterns formed" (p. 19).

The low representation of women students in certain faculties and departments at the University of Alberta was confirmed by Mehra (1978) who, in response to the Senate Task Force recommendation for a study on undergraduate and graduate students, conducted an investigation of the enrolment patterns of women students for the period 1970-71 to 1977-78.

WISEST, at its inception, was divided into four groups each responsible for one of the following:

1. A statistical survey of the distribution of academic staff by rank, gender and faculty.

2. A study of the relative academic performance of men and women undergraduate students in both the arts and the sciences.

3. Provide consciousness-raising and support systems for senior undergraduate students in the sciences and engineering.

4. Establish contacts with high school teachers and students to discuss career patterns and possibilities.

For the faculties of particular interest to WISEST, data obtained in July, 1982 on the distribution of full-time regular staff (Table 4.2) clearly illustrated the scarcity of women in the "non-traditional" faculties.

Table 4.2

Full-Time, Regular Academic Staff in Selected Faculties at the University of Alberta as of December 15, 1981

	Men		Women	
	Number	%	Number	%
Agriculture	89	91.8	8	8.2
Business	52	89.7	6	10.3
Dentistry	35	89.7	4	10.3
Engineering	106	98.1	2	1.9
Medicine	153	84.5	28	15.5
Pharmacy	22	95.7	1	4.3
Science	300	94.9	16	5.1

(from July 21, 1982 correspondence from Dr. Susan Jackel and Dr. Fred Morrison to WISEST)

Decore (1984) investigated whether the academic performance of men and women students at the University of Alberta substantiated expectations that men would excel in mathematics and the physical sciences while women would perform better in the humanities and social sciences. Using student mean grade-point averages for the 10-year period from 1970-71 to 1980-81, she discovered that the academic performance of women was superior in the Faculties of Agriculture, Arts, Business, Education, Engineering, Physical Education and Science. In the Faculties of Law and Pharmacy, mean grade-point averages over the comparison period showed women performing better in some years and men in others. Decore concluded that the data did not provide any support for the precept that male students possess superior academic ability in the sciences.

Under the leadership of Dr. Margaret Ann Armour, WISEST (an acronym now for Women in Scholarship, Engineering, Science and Technology) has undertaken a number of activities to encourage high school students to enter non-traditional disciplines. One such activity is the Summer Research Project where summer placements are arranged, for high school women, in University Science and Engineering Departments and, for young men, in areas such as Home Economics. Over the years, conferences with themes such as "Steps to a Scientific Career" and "The Gender of Science" have been organized for high school students; recently, a conference for elementary school students illustrated the relevance of science to their lives and promoted science as a career.

WISEST also encourages undergraduate women in science and engineering to pursue graduate studies and careers in these fields. In this regard, it has established a networking/support group called the UAYs (University of Alberta Women in Science and Engineering) comprising undergraduate and graduate students, faculty members, and women from outside the University in scientific occupations to share information about career choices, job opportunities and career paths.

President's Interim Advisory Committee on Women's Issues

By way of correspondence dated November 5, 1984 from Mrs. E. A. Solomon of the University Secretariat, administrators and other members of the University were advised of the terms of reference and membership of the President's Interim Advisory Committee on Women's Issues established on November 1, 1984. The overall purpose of this Committee, chaired by Dr. Susan Jackel, was described as:

> To advise the President on matters which concern women at the University of Alberta, and which are not being addressed by specific bodies.

In particular, the Committee was to undertake the following:

1. Investigate the possibilities for alternate work patterns for both academic and non-academic staff.

2. Study the implications of full-time and residency requirements for women students.

3. Monitor the existing situation regarding equal opportunities and compensation for women.

4. Provide advice on any ongoing committee or other mechanism which should be established to monitor or further study these issues.

Early in 1985, an article appeared in Folio (University of Alberta, 1985a) which provided a fuller description of the purposes and mandate of this Committee, which was:

> To encourage all members of the University community to consider ways in which the University can more satisfactorily respond to the needs and aspirations of women, whether students, research associates, librarians, teaching faculty, administrative officers, or non-academic staff.

Among the issues identified as being of interest to the Committee were the availability of affordable, good quality child care; the clustering of non-academic women in lower-paying jobs and the differences between non-academic men's and women's average salaries in all occupational groups; the lack of opportunities for academic women to enter non-traditional disciplines, to advance through the ranks, and to participate on decision making bodies; the extent to which "traditional timetables" of academic success reflected men's relative freedom from domestic responsibilities and, therefore, the need for more flexible work patterns; and the implications of full-time and residency requirements for women students, particulary those wishing to pursue graduate studies.

Other matters which the Committee intended to address related to the monitoring of applications and appointments in departments where women were underrepresented, and the implementation of employment equity in a manner consistent with the ideals and academic purposes of the University (University of Alberta, 1985a).

Among the major achievements of the President's Interim Advisory Committee on Women's Issues was the establishment of the Faculty Enhancement Program. "Following some preliminary discussions with Vice-President Meekison about hiring incentives to improve the proportion of women on the academic staff" (May 22, 1985 correspondence from the President's Interim Advisory Committee to the AAS:UA), the program was formally proposed in May 27, 1985 correspondence to the Vice-President (Academic) from the Chairperson of the Committee.

The Faculty Enhancement Program was conceived as a means of encouraging departments with few women faculty (or few men in the case of some departments) to hire members of the underrepresented gender. In a November 1, 1985 memorandum, the Vice-President (Academic) advised Deans and Chairs that a Faculty Enhancement Program had been created under the New Initiatives Fund whereby funds would be made available to departments, from a total sum of $50,000, for activities such as special recruiting efforts or the creation of full-time academic positions where partial academic vacancies existed. The academic positions, if approved, were to be established on a tenurable basis.

The success of the program in meeting these objectives was remarked upon by the Progress Review Committee on the Senate Task Force Report on Academic Women (University of Alberta Senate, 1987) which found that, in 1986-87, $100,000 was designated for the Faculty Enhancement Program and that it "was used in salary enhancement or research support for six women." However, a former Executive Member of Chairs' Council indicated, in the fall of 1990, that the program was not necessarily popular among some members of the University community:

> As soon as that came out there were some pretty disgruntled people out there ... amongst the males. [There was] a lot of feedback from some of them who thought that this was inopportune, an inappropriate way of doing things.

An Associate Vice-President, also during the fall of 1990, revealed that although this program had operated for "about three or four years" and "it was reasonably successful ... it doesn't exist anymore." Asked why it was discontinued, he replied, "I think they found it really wasn't necessary ... and also, we were running out of money."[8]

A second major initiative of the President's Interim Advisory Committee involved the organization of a visit to the University of Alberta of Judge Rosalie Abella, author of the 1984 Royal Commission Report on Equality in Employment. In a series of workshops held on October 3, 1985, Judge Abella spoke to: (a) University senior administrators including Vice-Presidents, Associate Vice-Presidents and members of Deans' Council, Chairs' Council and Administrative Council; (b) Administrative/ Professional Officers (APOs), administrators from Personnel Services And Staff Relations, and the Association of Academic Staff (AAS:UA) Executive; and (c) the Academic Women's Association, President's Interim Advisory Committee on Women's Issues, and the Vice-President's (Academic) Advisory Committee on Women's Studies. Under the general heading of "The Charter of Rights and Freedoms - Implications for the University Community", Judge Abella addressed the topic of employment equity in the university context and the implications for universities of proposed federal government legislation on affirmative action (University of Alberta, 1985d).

Finally, by way of September 6, 1985 and March 4, 1986 correspondence, the President's Interim Advisory Committee on Women's Issues advised President Horowitz of its recommendations concerning the establishment of an Equity Coordinator position at the University. A key recommendation was that the Equity Coordinator be hired on a full-time basis and report directly to the President. The position, it was suggested, should be responsible for data collection, research, education, and operational change for the purpose of addressing the employment disparities experienced by women, Native peoples, visible minorities and persons with disabilities. In this regard, the Equity Coordinator was to develop and oversee the implementation of action plans with goals, timetables, and, where necessary, special measures for increasing the proportion of designated group representation at all levels and in all fields and occupations at the University.

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[8] In a fall, 1992 interview, President Paul Davenport advised that the program was being reinstated. An excerpt from the 1991-92 University of Alberta budget indicated that:

> An allocation of $50,000 to the Special Recruitment Fund, also to be dispensed by the Vice-President (Academic), will help Departments with the costs associated with recruiting faculty in the four targeted groups: aboriginals, visible minorities, the handicapped, and the under-represented gender. (p. 8)

Academic Women's Association

Although the Academic Women's Association's (AWA) long history of advocacy on behalf of University of Alberta women cannot be dealt with comprehensively within the scope of this review, it is interesting that it was the release of the Senate Task Force's 1975 Report on Academic Women which led to its transition from an informal, *ad hoc* group which first began meeting in 1973, to an incorporated society. Dr. Jean Lauber recalled that:

> The AWA was really founded during the period before the Senate Task Force ... as a very informal body. We didn't want ... constitutions and bylaws ... [but rather] to meet and further collegiality. The Senate Task Force Report came out and I can remember very clearly Naomi Hersom saying "nothing is going to happen with these recommendations if you don't get yourselves organized as a pressure body." And so one evening we all threw our quarters into a hat and declared ourselves to be an official body.

The Academic Women's Association was incorporated under the Societies Act sometime during 1975 and now has a wide-reaching membership of academic women from across campus. The group has worked on many issues over the years to improve the situation for women in the University. According to Dr. Lauber, "there were certainly many battles in which we got nowhere but there were occasional successes that kept our hopes up." Some of these battles were with the "AAS:UA which had been male-dominated for such a long time." One success of the AWA was the establishment of the Windsor Park day care centre; other matters which have received the attention of the group include maternity leave, working conditions for sessionals, flexible work patterns for academic staff and employment equity.

During the 1984-85 academic year, the AWA undertook as a major project a review of the 15 recommendations of the 1975 Senate Task Force *Report on Academic Women* to see what progress had been made, in the intervening ten years, towards achieving greater equity for women. A report, entitled *A Ten-Year Review of The Senate Task Force on the Status of Women: Report on Academic Women* (Academic Women's Association, 1985), was presented to the University of Alberta Senate on April 15, 1985.

The AWA report recognized the positive action which had been taken with respect to a number of the recommendations but commented on the insufficiency of the University's response in several areas. For example, acknowledged were the new procedures set out in Section 48 of the *General Faculties Council Policy Manual* regarding the prevention of sex discrimination in appointments, and the requirement that position advertisements include a statement to the effect that the University was an "equal opportunity employer." The AWA maintained, however, that a clear policy statement against sex discrimination had yet to be developed and published in all administrative manuals and official staff agreements.

Regarding the Senate Task Force's recommendation that proposals be developed concerning more flexible and imaginative work patterns, the AWA discovered that a preliminary report had been prepared for the Senate by an Innovative Work Patterns Committee established in 1977. Minutes of a January 23, 1981 Senate meeting, as reported by the AWA, stated that the Vice-President (Academic) had notified the Senate that:

> A great variety of alternative kinds of job patterns do exist at present. These have now been inventoried, but knowledge of them is limited. The formation of a committee for publicity, for advising administrators, as well as for ongoing study, is being recommended.

The AWA found, however, that the recommendation for the establishment of a publicity and advisory committee was not included in the February 23, 1983 final report of the

Innovative Work Patterns Committee to the Senate. "It is therefore not surprising," concluded the AWA, "that in a letter dated March 1, 1985, from the current Vice-President (Academic), it is stated that 'that recommendation has not been followed up'." The AWA was "unable to discover either guidelines for procedures or a general visible statement with respect to the administration's commitment" to the concept of innovative work patterns.

Apropos the Task Force recommendation for an external study on the non-academic staff with particular reference to the classification system, the AWA cited a July, 1982 study conducted by William M. Mercer Limited, on the Status of Non-Academic Women at the University of Alberta, which was submitted to the Board of Governors. However, AWA investigations concerning the implementation of the 32 recommendations of the Mercer report generated a response from the Personnel Services and Staff Relations unit that "we have not proceeded to implement this study."

Concerning Senate recommendations that the President appoint a senior level Dean or Director of Women's Affairs to undertake research, advocacy and education, and that "the President ... establish a Review Committee to investigate and bring forward specific proposals for improving the status and numbers of women in all faculties and schools," the AWA acknowledged the creation of the President's Interim Advisory Committee on Women's Issues (PIACWI) but maintained that it was unaware "of any specific proposals that have been either brought forward or implemented to improve either the status or the numbers of women in faculties."

The AWA called for the establishment of a permanent senior administrative position to deal with women's issues. It requested also the full implementation of the Senate Task Force recommendation requiring Deans and Directors to provide justification when women were not hired to vacant academic staff positions, commenting that:

> Although the onus has been placed on Selection Committees to explain the way in which all candidates were considered, no such explanations have been either requested by or submitted to the Vice-President (Academic).

Finding, as well, that General Faculties Council (GFC) policies urging Deans to collect data on the number and sex of applicants for academic positions were not, according to the Vice-President (Academic), being followed, the AWA recommended that formal procedures regarding data collection, monitoring and reporting in relation to academic appointments be developed.

Further, the group suggested that regular systematic reviews to disclose any salary inequities, such as occurred in 1977-78, be conducted. According to the AWA Ten-Year Review, the Vice-President (Academic) was not in favour of repeating the 1977-78 study because "Deans and other appointing officers have been zealous in an attempt to ensure that sex discrimination has not taken place in the setting of starting salaries" and "from my knowledge of the workings of FSPC's [Faculty Salary and Promotions Committees], I feel confident that there is no sex discrimination in the decisions of those bodies." The AWA, in turn, found it "hard to understand the basis of these comments," because:

> All studies, of which this committee is aware, of male-female salaries have shown significant discrepancies, both at hiring and with respect to subsequent adjustments, it is difficult to believe that the University of Alberta is unique in North America.

Minutes of the April 26, 1985 Senate meeting, during which the Academic Women's Association Ten-Year Review was presented, showed that much discussion took place on the findings of the report and that the President expressed the view that a number of initiatives to improve the status of women at the University of Alberta had not been mentioned in the AWA study. In response to a specific question from a Senate member regarding the creation of a senior administrative position responsible for women's issues, the President was reported to have indicated that it was premature to discuss such issues in detail at that particular meeting. A similar report of the meeting appeared in the May, 9, 1985 Folio (University of Alberta, 1985b):

> The President responded that there were gaps in the report about actions which have been taken. Evidently angry, he repeated that in his view a detailed consideration of particular questions was premature until discussion

> could take place within administrative channels. Dr. Horowitz said that he would "not tolerate a shared presidency.... There will be only one administration during the next four years."

In addition, the Vice-President (Academic) was recorded, also in the April 26, 1985 Senate meeting minutes, as saying that a formal review or update of the 1977-78 study on salary inequities was not necessary because formal provisions had been introduced in Section 13.5 of the General Salaries and Promotions Committee Policies and Procedures Manual for the correction of salary anomalies arising for any reason, and because he was unaware of any recent requests for salary reviews based on sex discrimination.

A motion introduced at the April 26, 1985 meeting:

> That a Senate Committee be formed to monitor and report on the status of women at the University of Alberta over the next two years

was passed, with 10 abstentions.

Shortly thereafter, at the May 31, 1985 Convocation, President Horowitz raised the whole issue of equity, including the underrepresentation of women among the academic staff, noting that "even during this relatively difficult time when we are not making many permanent appointments, we must find ways to increase the number of female staff in some of our academic departments and Faculties" (University of Alberta, 1985c). He commented further on how the Charter of Rights and Freedoms would affect universities:

> I suggest that it is important that we capture the spirit of the Charter and that at our University we not always settle for the minimum, but that, wherever possible, we go beyond that which is required by legislation and by the courts. (University of Alberta, 1985c)

Task Force on the Status of Academic Women 1987 Progress Review Report

In compliance with the motion passed by the Senate on April 26, 1985, a Senate Progress Review Committee was established to measure the University's progress in responding to the original 15 recommendations of the 1975 Senate Task Force on the Status of Women. Although the Senate Progress Review Committee's final assessment, presented in March, 1988, was that many of the 1975 recommendations had been implemented, they concluded that while "blatant discrimination against women has almost disappeared ... a more systemic type of discrimination continues to exist" and that "the goal of full equality of opportunity in employment ... will take ongoing dedication and effort" (University of Alberta Senate, 1988, pp. 1-2).

The Progress Review Committee compared 1974 data on the numbers and status of male and female teaching staff (professors, associate professors, assistant professors and sessional lecturers) with that from 1986. University of Alberta teaching staff in 1974 consisted of 228 women (15%) and 1,305 men (85%) and, in 1986, 539 women (21%) and 2,045 men (79%). Among the full-time teaching staff (excluding sessional lecturers), women comprised 16% of the staff members, up from 12% in 1974. As reported by the Senate Progress Review Committee, the distribution of academic staff by rank, for 1974 and 1986, was as shown in Table 4.3 below.

With respect to the representation of women academic staff in "traditionally" male faculties, minimal increases in their representation from 1974 to 1986 were reported (Table 4.4)

Acknowledged also were the October, 1987 amendments to Section 48 of the General Faculties Council Policy Manual which included (a) the introduction of a statement against sex and other forms of discrimination in employment, (b) the new requirement that advertisements for academic positions contain the statement that "The University of Alberta is committed to the principle of equity in employment," and (c) measures to prevent sex discrimination in employment (University of Alberta Senate, 1988, pp. 6-9).

There was reference as well to a 1986 position paper from the Office of the Vice-President (Academic) on innovative work pattern options available to academic staff, such as "leave without pay from a portion of duties, "part-time continuing appointment," and "post-retirement employment." The Senate Progress Review Committee concluded that "it appears that a variety of work patterns has been established," but recommended "that the University Administration provide more publicity about these optional work patterns" (p. 12).

Table 4.3

Distribution of University of Alberta Academic Staff

by Rank: 1974 and 1986

	1974 No. Men	1974 No. Women	1986 No. Men	1986 No. Women
Professor	413 (94%)	27 (6%)	937 (92%)	78 (8%)
Associate Professor	491 (89%)	64 (11%)	424 (79%)	111 (21%)
Assistant Professor	328 (81%)	76 (19%)	314 (72%)	121 (28%)
TOTAL PROFESSORS	1232 (88%)	167 (12%)	1675 (84%)	310 (16%)
Sessionals	73 (55%)	61 (45%)	370 (62%)	229 (38%)
TOTAL TEACHING STAFF	1305 (85%)	228 (15%)	2045 (79%)	539 (21%)
APOs	150 (85%)	27 (15%)	165 (62%)	102 (38%)

(University of Alberta Senate, 1988, p. 26)

Initiatives reported by the Progress Review Committee as taken by the University to improve the status of women included the following (pp. 35-38):

1. A Women's Program in the Faculty of Extension was initiated in July, 1981.

2. The President's Advisory Committee on Sexual Harassment (PACSH) was formed in October, 1982.

Table 4.4

Distribution of Women Academic Staff in Selected Faculties at the University of Alberta: 1974 and 1986

	1974		1986	
	Number	%	Number	%
Agriculture	2	2.8	6	6.8
Business	3	5.2	7	9.1
Dentistry	7	18.4	4	5.6
Engineering	0	0.0	1	0.75
Law	2	9.1	3	11.1
Medicine	10	6.5	55	14.2
Pharmacy	1	5.5	1	5.3
Science	11	3.7	17	5.5

(University of Alberta Senate, 1988, p. 29)

* "Academic Staff" in this case refers to professors, associate professors and assistant professors.

* 1986 Figures were based on the number of male and female academic employees on the payroll, not on the number of available positions.

3. In November, 1984, the President established an Interim Advisory Committee on Women's Issues.

4. In the fall of 1985, the University of Alberta, using the New Initiatives Fund, established a Faculty Enhancement Program.

5. In 1986, a proposal for an interdisciplinary undergraduate degree program in

Women's Studies was approved.

6. The Association of Academic Staff of the University of Alberta (AAS:UA) created a Women's Issues Committee in 1986.

In addition, the Senate Progress Review Committee pointed out that in 1987:

> The President signed an agreement with the Federal Government under the Employment Equity Act which states the University of Alberta is committed to an equity program. Should the University apply for any Federal contract, the University has to be able to demonstrate that it has a long range plan to have minority or under-represented groups involved within the institution in proportion to their representation in Alberta's population. (p. 37)

The Committee referred also to a 1987 survey of academic staff attitudes conducted by the Institutional Research and Planning Office which had found, with respect to the issue of "reasonable minimum quotas," that:

> Females showed some support for establishing minimum quotas for the minority sex in the following areas: admission of students to quota programs; appointment to tenure-track positions; appointment to committees; and appointment to administrative positions.
>
> Male respondents were strongly opposed to establishing minimum quotas for the minority sex in almost all the areas listed. Some support was shown for such quotas in admitting students to quota programs. (p. 34)

The Progress Review Committee also undertook a survey of the gender composition of some of the committees of General Faculties Council and the Senate, as well as of major decision making committees in all faculties. While some improvement was noted in the decade since the previous Senate study regarding the composition of a number of University-level senior committees, the Committee found that "the proportion of women on major faculty level committees in general has not changed." A recommendation was made that faculties continue to strive for greater female representation on decision making committees (p. 54).

CHAPTER 5

SPECIAL ADVISOR TO THE PRESIDENT ON MATTERS OF EQUITY

Appointment and Mandate

On July 1, 1986, Dr. Myer Horowitz appointed a Special Advisor to the President on Matters of Equity, with a mandate to advise the President on equity issues related to the four disadvantaged groups identified by Judge Rosalie Abella (1984) as women, aboriginal people, visible minorities and disabled persons. Professor Doris Badir, who was then Dean of Home Economics, was chosen to serve, initially for a period of two years, in what began as a half-time position. This appointment fulfilled the 1975 recommendation of the Senate for "a Dean or Director of Women's Affairs, appointed at a senior level and responsible to the President" (University of Alberta Senate, 1975).

Consideration was given by the President to such an initiative following his receipt of a September 6, 1985 proposal, from the President's Interim Advisory Committee on Women's Issues, which called for the appointment of an Equity Director reporting to the President and for the establishment of an Equity Office. Evidence of this appears in September 9, 1985 correspondence from the President to the Vice-Presidents and Associate Vice-Presidents indicating that the Interim Advisory Committee's proposal would be on the agenda of the upcoming Vice-Presidents' meeting.

The decision to appoint an Equity Advisor came after the October 3, 1985 visit to the University of Alberta by Judge Rosalie Abella who at that time discussed, with senior administrators and other members of the University community, the federal government's plans in the area of employment equity. Professor Badir recalled that it was in reaction to the "pressure from the President's Interim Advisory Committee on Women's Issues," the visit of Judge Abella and "the inevitability of the whole equity issue," that the President first discussed with her the creation of a new position to deal with equity matters:

> That was when Myer decided he would like to have something called a Special Advisor to the President on Matters of Equity. And then he used the Abella description, i.e. women, Natives, visible minorities and disabled persons.... He first approached me in December [of 1985] ... but I think in January he actually approached me with an offer, and then it was by about February or March that we concretized the offer. At that point I was appointed half-time for two years [beginning on July 1, 1986].

Dr. Horowitz confirmed that it was after the visit of Judge Abella that he:

> Was able to interest a good friend, a respected colleague, Doris Badir, who was stepping down as Dean of Home Economics ... and instead of taking a full year administrative leave, to spread the leave over two years, half-time each year, and for the other half-time, to come as my advisor, Special Advisor, Assistant to the President on Equity Matters.

Professor Badir indicated that she was responsible for equity on campus in its broadest sense, not just for employment equity, but that the details of her mandate were never put in writing:

> The job was to do all those things, women's issues ... employment equity, women, Natives, visible minorities, disabled persons, students, non-academic staff, academic staff. Other than that, it was up to me to decide what issues I would look at or that I would develop. There was nothing put in writing.

She acknowledged also that, at the time, the "whole question of pay equity was already in the works" and that she expected to be drawn into the process--a prediction that proved to be only too accurate.

It was in August, 1986, only six weeks after Professor Badir had become Equity Advisor that the University "first heard about the federal government contractors program applying to the universities." The events leading to the University of Alberta's commitment to participate in the program, and the implications of this agreement in relation to what it required the University to do in order to comply, constituted a major focus of the work of the Equity Advisor throughout her four years in office.

Responsibility for the Federal Contractors Program was delegated by the President to the Equity Advisor and, although the assignment was never conveyed in writing, it was discussed in meetings of the President and Vice-Presidents with Professor Badir in attendance. The former President attested that "Doris joined the President and the Vice-Presidents" on a number of occasions, that she "was a visitor often" and that for "some of the time, for a period of months a great deal of the time, the topic of discussion was what you are exploring."

Asked whether the Federal Contractors Program had been assigned as a shared responsibility with any of the Vice-Presidents and, in particular, with the Vice-President (Academic), Dr. Horowitz replied that "my style was not to assign to two or more of my very senior associates very much." While acknowledging that many issues cut across the responsibility areas of more than one senior official, he indicated that "how I approached this matter had something to do with my general approach" which was "that on most matters, one was sort of responsible for carrying the ball. And on this, clearly Doris was."

However, questioned as to whether he had formally notified the University community of the assignment of responsibility for the Federal Contractors Program to Professor Badir, Dr. Horowitz replied that he "didn't think so." He added that:

> I'm sure that she indicated to people that she had this responsibility, but I think you are assuming that normally there was a more formal indication of who was responsible for what ... than was the case. But you mustn't assume that because there was minimal communication from the President--I'm certainly safe in saying minimal because I don't recall it a great deal--you mustn't assume that because of that people out there were unaware.

Report to Convocation

It appears that the first public notification that the position of Equity Advisor to the President had been created at the University came with Professor Badir's Report to Convocation on November 22, 1986 (Badir, 1986). In her presentation, Professor Badir outlined some of the initiatives undertaken by the University on equity matters but cautioned that much still needed to be done to address the underrepresentation of women and minority groups, as graduate students, academic staff members and administrators. She said:

> I am today ... asking for a commitment from all sectors and all members of the University of Alberta community, a commitment to creating the conditions for equality of opportunity for all disadvantaged groups within the University; a commitment to the examination of ideas and attitudes lying in the backs of our minds which perpetuate, however unintentionally, the ghettoizing and stereotyping of large proportions of those eligible to be among us; a commitment to the amelioration of past inequities.

Professor Badir asked for a commitment to move more women into the supervisory and administrative ranks, drawing attention also to the fact that "traditional" notions of what constitutes academic career progress and success are not necessarily appropriate for women. She requested more support systems for women such as child care, and asked for the creation of a climate that would produce measurable and permanent results.

Although the issue of the degree of commitment among central administrators towards employment equity and the Federal Contractors Program will be dealt with more fully in later chapters, it is interesting to note at this point how they responded to the Equity Advisor's remarks to Convocation. Professor Badir related their reaction to illustrate that even though they had made no public statements themselves, senior administrators had expressed their support to her for her address:

> When I made that Convocation speech, there was no question I don't think, in anybody's mind [among the senior administrators], particularly Myer's, that that wasn't a smart thing to do--"we will have this new person on our staff make this public statement about what this University is going to do about equity." And the reaction from the senior administration was just incredible, just marvellous, you know, "this is exactly what we wanted, Doris, this was great."

"But, you see," she added, they thought "that was all you needed to do." Once the statement was made about what the University wanted "in terms of commitment from everybody within the system," there was no sense of what that meant from the perspective of "how are we going to get it and who is going to ask for it"?

Statement on Equity

In the absence of a written mandate from the President regarding her responsibilities, the Equity Advisor developed her own document for distribution outlining the purpose of her office. In part, this document (Appendix C) stated that:

> The Office of Equity Advisor is responsible to the President.
> The mandate is to ensure that the principles of employment equity are a part of the University's commitment to its students and employees with particular reference to: women, natives, visible minorities and disabled persons as well as to students, support staff and academic staff.
> The Equity Advisor is charged with over-seeing the University's compliance with the Federal Government Employment Equity program.

However, in recognition of the importance of having substantive evidence of the commitment of central administration, the Equity Advisor prepared and forwarded to President Horowitz, on December 21, 1987, a draft policy statement for his consideration. In a covering memo, Professor Badir expressed her belief that a presidential statement describing the University's philosophy and commitment towards employment equity would help to clarify "where the University is coming from" and would provide a rationale for actions already underway, including the Support Staff Job Evaluation Study, proposed amendments to the General Faculties Council Policy Manual, and the implementation of the Federal Contractors Program.

Recommending that such a statement be sent to all academic and support staff members, the Equity Advisor suggested that it refer to the commitment of Board of Governors and senior administration to the amelioration of inequities in the system. She noted also that the University's support for employment equity could be explained "as a means of ensuring the opportunity to our research community for access to Federal Government contracts," but pointed out the need for the University community to be informed that, in response to Federal Contractors Program, a plan to improve the representation of disadvantaged groups had to be developed.

The actual wording of a draft policy statement sent to the President is shown in Figure 5.1. The provisions set out in the draft would have addressed requirements of the Federal Contractors Program on matters such as: a statement of commitment from the

Figure 5.1

Draft Policy Statement on

Employment Equity Program for the University of Alberta[9]

It is the policy of the University of Alberta to establish and implement an Employment Equity Program for all staff on campus to eliminate systemic discrimination and to ensure that all employees and applicants for employment are treated according to their skills, qualifications, abilities and aptitudes and without regard to factors such as their sex, age, race, national or ethnic origin, colour, religion, or mental or physical disability. This is also a reflection of our commitment made to the Federal Government under the Contract Compliance Program. I, and all senior management, strongly endorse the operation of the Program.

I believe that the Program will ensure equitable treatment for all applicants and employees and will enable our organization to make optimal use of all the skills and talents available both inside and outside the organization.

I will be responsible for the overall operation of the Program, and Professor Doris Badir, Special Equity Advisor, will undertake the daily supervisory tasks, and the implementation of the Program.

The Program will start immediately and I hope that the objectives and projections will be fully developed and operating within the next eight months.

The program will, initially, include a statistical analysis of the University's current workforce to establish the employment patterns of women and men in the organization, a review of all personnel policies and practices in the areas of recruitment and selection methods, promotion, career pathing or manpower planning, staff development, training, transfers, conditions of service, and termination of employment. A series of objectives and projections will then be developed and these will constitute the Employment Equity Program. The Program will be regularly monitored and evaluated and you will be provided with further information at least annually.

The Program will be developed in consultation with the AAS:UA and NASA and the consultation process for employees is currently being established. You will be provided with more details about these consultations later.

The supervisor in charge of each division will be directly responsible for the implementation of the Program and I encourage all staff members to be involved in the implementation of the Program to help the University of Alberta to meet its objectives.

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[9] This draft policy statement, sent to President Horowitz on December 21, 1987 with the intention that it might be sent out in the new year, was never endorsed.

chief executive officer, (b) the assignment of overall responsibility for employment equity to a senior level person and the delegation of responsibility and accountability to other officers in the organization, (c) a statistical analysis of the organization's workforce, (d) the involvement of unions and/or staff associations in employment equity program decisions and projections, (e) employment systems reviews in order to eliminate systemic discrimination, (f) the establishment of goals and timelines, and (g) provisions for monitoring and evaluation.

This policy was never endorsed and the reasons why became clearer after Dr. Horowitz admitted that sometimes there were differences in approach between Professor Badir and himself. On the particular matter of the policy statement on equity, he said:

> I was concerned on a couple of occasions ... that the phrasing in a draft statement that went out from her, but it was draft of course, because I would look at it, I was concerned that it could be read--so I'm not really talking about her intention so much as my reading of the statement--it could be read that we were about to do certain things because of the federal requirement. And maybe, here too, I was fooling myself into thinking that we could be a party to the federal requirement without it having much power over us. I wanted so desperately to continue to feel that we were in the process ... of bringing about important change and that that had to be continued naturally.

He did acknowledge, however, that in all likelihood Professor Badir "had a better sense of the implications than I did." In the final outcome, President Horowitz never did enunciate a comprehensive policy such as was drafted for his consideration in 1987.

In her final year in office, the Equity Advisor produced another policy statement which was accepted, after revisions, by the President's and Vice-Presidents' Committee on May 22, 1991. This "University of Alberta Statement on Equity," which was printed in the July, 1990 Report of the President's Commission for Equality and Respect on Campus (University of Alberta, 1990a, p. 56) still had not become official University policy as of June of 1991. According to an Associate Vice-President during an April, 1991 interview, the policy went to Deans' Council and then to the Committee on Admissions and Transfers. Apparently, it was sent back for revision by this latter Committee because there were "many concerns about the phrasing of it, the words in it. And so it is still with Lois Stanford [Vice-President (Student and Academic Affiars)] to come back again. So it wasn't rejected; it was, as are many of our documents, sent back for revision." The Associate Vice-President thought that, eventually, it would have to go to General Faculties Council for approval.

Workforce Analysis

Self-Identification Survey or Census

The Federal Contractors Program requires participating employers to (a) conduct workforce surveys in order to determine the representation within their organizations of designated group members and (b) collect and maintain information on the employment status of designated group employees by occupation and salary levels, and on the hiring, promotion and termination histories of designated group members in relation to other employees.

It is often the case that while the gender breakdown of organizational members usually is available, statistics on the numbers of aboriginal peoples, disabled persons and visible minority persons are not as accessible. At the same time, collecting this data is problematic because human rights legislation prohibits the questioning of employees and prospective employees about such matters. Therefore, in order to obtain an estimate at least of the representation of Native, disabled and visible minority persons in the organizational workforce, an employer can, as one avenue, conduct a "census" by administering an anonymous, voluntary, self-identification questionnaire to all staff members.

At the University of Alberta, such a census was conducted in 1988 under the direction of the Equity Advisor. Before undertaking this study, Professor Badir looked at instruments developed by other employers for the same purpose, including those of Bell

Telephone and the Ontario Liquor Control Board. She also consulted with the Alberta Human Rights Commission, the University Ethics Review Committee and the AAS:UA and NASA to ensure that the survey instrument conformed to legal and ethical requirements including those for confidentiality and anonymity. A questionnaire was sent in April, 1988 to 7116 full-time and part-time University of Alberta staff members, both academic and non-academic, under a covering letter from the Equity Advisor. The letter read, in part:

> The University is committed to ensuring that persons regardless of language, racial origin, gender, age, or religious affiliation are treated equally within the system. In order to carry out this commitment it is essential that we have data to support the programs we may need to initiate. Moreover, in order to comply with the Employment Equity legislation we will be required to produce data on the representation of the four designated groups ... within our workforce.

Of the 7116 questionnaires distributed, a total of 3351 or 47.1% were returned. Among the full-time staff of the University, 52.1% of the men and 74.6% of the women responded. Though the survey did not ask respondents whether they were academic or non-academic staff, 2817 (84%) of the persons who did reply indicated that they had "more than one degree" under an item on "highest level of education you have completed." This might suggest that the majority of those responding were academic staff members.

The survey instrument contained one open-ended question which asked for "any other comments you would like to make." While the questionnaires themselves were destroyed sometime ago, aggregate data from the census was stored in a dBase file on a computer disk in the Equity Advisor's office. This file contained abbreviated versions of the "other comments" provided by 315 respondents, representing 9.4% of the total 3351 questionnaires returned.

Almost one-third (92) of the 315 who provided "other comments" indicated their belief that discrimination, on the basis of one or more of a number of categories, existed at the University of Alberta. However, another 29 were convinced that discrimination did not occur and that they themselves had not experienced discrimination (Table 5.1). Some of these latter comments were as follows:

> Always been treated equally at the U of A.
> University has been fair.
> No discrimination in our Dept.
> University context is as prejudice free as any.

Another 11 suggested that "reverse discrimination" against white males was taking place:

> Single males most discriminated against.
> Victim of reverse discrimination.
> Victim of affirmative action and feminism.
> White Canadians becoming a minority.

There were 23 who expressed opposition to any form of special measures to assist disadvantaged groups:

> Reverse discrimination from affirmative action.
> No affirmative action.
> Hiring and promotion should be on merit.
> Employment equity sucks.
> No quota system for minorities.

However, 16 indicated support for employment equity measures to benefit women and minorities:

> All levels of govt cld hire more Natives.
> Affirmative action, should be stated when position is advertised.
> Support concept.
> Project will benefit all.
> Delighted that study is being done.

A few others (6) recognized that unfairness existed on campus but expressed little hope that employment equity or other efforts could help:

> Ignorance and prejudice cannot be eliminated.
> Not possible to ensure fairness.
> Cynical about equity - not sure we have gained much ground.
> Will always be some form of prejudice.

Finally, a considerable number (42) criticized the survey instrument or the survey itself:

> What use is this?
> Waste of time and money.
> Why not just use personnel files?
> Survey does not seem to dig deep enough.
> Incredible that University gives priority to these matters.

For an additional 96 responses, the meanings had been lost during the data storage process

Table 5.1

Self-Identification Survey or Census

University of Alberta, 1988

Respondent Comments	Number
Indicating that discrimination exists at the University of Alberta against minority groups (on the basis of gender, language, colour, religion, sexual orientation, mental or physical disability, country of origin)	92
Indicating that no discrimination exists at the University of Alberta	29
Suggesting the existence of "reverse discrimination" against white males	11
Expressing opposition to special measures, affirmative action, or employment equity for disadvantaged groups	23
Expressing support for special measures to assist disadvantaged groups	16
Acknowledging the existence of unfairness but expressing a lack of faith in the ability of employment equity or other measures to eliminate prejudice and discrimination	6
Criticizing the survey instrument or the survey itself	42
Comments on other matters or meanings unclear	96
TOTAL	315

(or they were never clear), or the respondents provided additional information about themselves (e.g. "on L.T.D.I."; "returning to the workforce after twelve years"; "Ukrainian origin"), or they commented on other matters at issue in the University (e.g. "classification system a problem"; "no benefits for temp part time"; "status of long term sessionals?").

This census was one of the first "pressures to conform" on the University community to the Federal Contractors Program and, according to Professor Badir:

> All hell broke loose when we did that because we got all kinds of letters saying that "this is costing us a lot of money, and this is an infringement of our rights as individuals that we have to write this down." And an awful lot of people who were male and caucasian ... refused to fill in their forms, sent them back to me with nothing on them, or wrote long notes on them saying that this was unnecessary and unimportant because the University was an open, free place and we didn't do things like act with prejudice, we never discriminated, our basis was merit only.

It was only when steps to comply, such as the census, were taken and the significance of the federal program began to be understood that the "feedback" from the University community began. As Professor Badir observed, "it's easy to say now that if we had done a careful job in preparing ourselves and therefore a more careful job of preparing the public within our constituency, we might not have had the backlashes we had."

Recruitment Process Forms

Another step in the effort to comply with the Federal Contractors Program was taken a few months before the census was conducted and concerned the acquisition of information on applicants for University positions and on the selection process.

As described earlier, the first call for some type of record keeping with regard to the hiring of academic staff came from the 1975 Senate Task Force which asked that "when academic vacancies occur the Vice-President (Academic) place the onus on Deans and Directors to justify when a woman is not hired" and that "the Office of the Vice-President (Academic) keep records as to the number of yearly appointments, and the number and sex of applicants for those appointments" (University of Alberta Senate, 1975).

In 1985, the Academic Women's Association (1985) reported that although Section

48.2.1 of the General Faculties Council Policy Manual placed an onus on Selection Committees to explain the way in which all candidates were considered in competitions for academic positions, "no such explanations have been either requested by or submitted to the Vice-President (Academic)." Further, the group found that even though Section 48.2.2 of the General Faculties Council Policy Manual indicated that:

> In order to determine the available pool of women applicants, Deans are urged to summarize how many positions in the Faculty have been advertised, how many applications were received from males, and how many from females,

the Vice-President had advised them that "few, if any, of the Deans have taken it upon themselves to follow the 'urging' of Section 48.2.2."

More recently, the Equity Advisor confirmed that although new rules were introduced, probably in 1978, for reporting on applicants for academic competitions and for the maintenance of records on academic appointments, "that was never done." "Nobody that I know of," she said, "ever sent any information to the Vice-President (Academic)." So one of her first tasks, on becoming Equity Advisor, was to "firm this up."

This was attempted, not only to bring about compliance with existing General Faculties Council policy, but also because the federal government requires participating organizations, as a crucial component of its contract compliance program, to collect and maintain data on designated group hiring and on the pool of eligible applicants from which "the contractor may reasonably expect to recruit employees."

Professor Badir together with the Associate Vice-President (Academic Administration) concluded that the only way to get the appropriate people to report was to provide them with a form. "And so," she said, "we developed that report form [Recruitment Process Report] and ... the forms went out in the Fall of '87" after they were approved by the General Faculties Council and the Board of Governors. The Recruitment Process Report (Appendix D) asked that information be sent to the Equity Advisor on (a) the total number of male and female candidates applying for a position; (b) the candidates, by gender and disadvantaged group membership, who were short-listed and interviewed; (c) the criteria used to arrive at the selection of the appointee; (d) the recruitment procedures used, including any special activities to locate prospective disadvantaged group applicants; and (e) the names of persons from disadvantaged groups who were short-listed but not hired, together with the reasons why. Guidelines on the reverse side of the forms indicated that:

> 1. The purpose of collecting this information is to provide the University with material which will allow it to monitor the success of its program, and to move toward a more equitable distribution of disadvantaged groups in our society.
> 2. By "disadvantaged" we refer to those groups identified by the Federal Employment Equity Act: aboriginals, disabled, visible minorities and women.
> 3. It will not always be possible to identify applicants as to membership in any of these categories, i.e. you are not able to require this information on applications nor ask the question in the course of the selection process. Once the offer has been made to a candidate and has been accepted, you may request this information which is needed for our files.
> 4. In certain Departments and Faculties men constitute the "disadvantaged group." In these cases please refer to male applicants.

Realizing that the Recruitment Process Reports could not be used to obtain information on the number of designated group applicants because of human rights legislation prohibiting such inquiries, the Equity Advisor reported that "we created another form which we then asked Chairs to send to all applicants when they acknowledged the letter of application." These Applicant Survey Forms (Appendix E), which were to be used in all recruiting, both academic and non-academic, and which were to be returned directly to the Office of the Equity Advisor, informed applicants that:

> 1. This survey information will be given the highest degree of confidentiality.
> 2. It will be used only to analyze the overall representation levels of persons of aboriginal ancestry, racial minorities and persons with disabilities.
> 3. Data will not be used for any other purpose nor will it be made available to any other than the Equity Office.
> 4. Reports based on the results of the survey will be issued in

aggregate statistics only so that no one individual can be identified.

5. The report will be used as a base for reporting to the Federal Government under the Contract Compliance Program.

Professor Badir explained that the distribution of Applicant Survey Forms to applicants is "voluntary and not all Chairs have done that but, increasingly, more are doing it as time goes on, and we have some fairly good data now in terms of what the makeup of the [pool of eligible persons is]."

Expectations that these forms would be completed represented another "pressure to conform" to federal requirements on the University community and, as Professor Badir revealed, the significance of this began to be realized:

> Not only is there going to be somebody looking over our shoulder from Ottawa, but there is somebody looking over our shoulder right here on campus who is in fact able to phone us and say "why did you choose this person"? And when even a very strong feminist on campus phones and says "every time I make a decision I'm going to have you phoning me to ask why I've done this, that's going to make my job impossible," you begin to realize how strong the feeling is that the University has this inherent right to exist within society without necessarily conforming to some of the [rules of that society].

An Associate Vice-President also discussed the purpose of the two types of forms used in the recruitment of academic staff, confirming that the Applicant Survey Forms are distributed "because a lot of the questions they want to answer on this form [Recruitment Process Report] are not able to be asked of the applicants at the time that they are being interviewed or apply." Further, it was the responsibility of the Equity Office (and later the Office of Human Rights), rather than the Office of the Vice-President (Academic), to compile the data from the forms. Regarding the degree to which the forms were accepted, the Associate Vice-President acknowledged that:

> Many departments, I'm sure you're aware, don't like filling them out. It's an awful lot of paper work and, frankly, I don't know as much as I'd like to know as to what sort of response there is. [The Office of Human Rights] would be a much better [place] to get that sort of data ... on the extent to which our Departments are cooperating in the completion of those forms and the extent to which the applicants for a job are voluntarily providing the data. Our office has really done nothing about it so that's the office

> [Human Rights] that is really front and centre.

He indicated also that it was Professor Badir who was primarily responsible for bringing the forms into existence:

> She got copies of similar forms from other universities, several in the United States who had been doing this for some time. And it was sort of a distillation of those kinds of forms. It was evolutionary, I suppose. There were quite a few drafts of this.

On the non-academic staff side, a representative of the Personnel Services and Staff Relations unit, responding to an inquiry about the use of recruitment process reports and applicant self-identification forms during the hiring of non-academic staff, disclosed that such forms were not being used:

> There's only one form at the present time and that is for academic appointments. There is no such form for support staff. And the self-identification form that we used was simply used on a trial basis for approximately six months and the process was found to be unsatisfactory ... and was discontinued. That process was started April 1, 1989 and was discontinued at the end of September of 1989 ... [because] the rate of completion was less than 20%.

Although reporting procedures for recruitment and selection were initiated by the Equity Advisor in 1987, the President's Commission for Equality and Respect on Campus found it necessary, in its July, 1990 report, to reiterate this need by way of the following recommendations (University of Alberta, 1990a, p. vii):

> 2.1.6 Require that selection committees report to the Vice-President (Academic) and the Equity Officer on the process and outcomes of all academic selection procedures.
>
> 2.1.7 Require that recruitment and hiring in the support staff area be reported to the Vice-President (Administration) and the Equity Officer.

Asked why these recommendations were included in the report, a Commissioner replied that "it was one that we wanted to be sure was in the list" because, although "you can have a policy, the monitoring has to be well in place." The requirement that data go to the Vice-Presidents was suggested because:

> While it may have gone to the Equity Office at one point ... we didn't know

> what it was going to be [or] if it was going to be. We needed ... a reporting and monitoring process so that we could see what was happening.... [Also], until [the policy] is recognized within the institution, it's not going to happen. Obviously it's a red flag for [some] ... but it does give us some benchmark.

Workforce Data Bases

Early in her term of office, after assessing the kinds of workforce information that would be required in order to implement the federal program, the Equity Advisor found that existing personnel information systems did not contain the necessary data on University employees, nor did they have the capacity to follow individuals throughout their University careers on matters such as salary increments, promotions and so on. An additional complicating factor at the University of Alberta was that there were two separate personnel systems, one for academic staff and one for non-academic staff.

Once the resource needs for the necessary data systems were determined, Professor Badir informed the President:

> [In the beginning] we were getting the workforce analysis sorted out. But once we knew what the workforce analysis amounted to, once we knew the whole problem of not having a single personnel system with respect to being able to track people, once we knew we couldn't track people in either system given our present resources, once we knew that that sort of thing had to take place, there needed to be the resources to do it. And we knew that in 1988. Then certainly, by November of 1989, the President had on his desk a recommendation of what the resources were going to need to be. And it was a very modest recommendation ... and that isn't what has happened.

A representative of Personnel Services and Staff Relations reiterated these concerns as they applied to the non-academic staff data system. He said that as far as a workforce analysis was concerned, no survey (census) had been done to identify among the support staff how many were members of the designated groups: "Nothing has been undertaken in that regard, so we have no data as it relates to our current workforce, as it relates to employment equity." What is needed, he suggested, is a survey using coded questionnaires so that the information can be linked back to individuals. Otherwise, the result is a "snapshot" of the composition of the workforce at the time of the survey without the means of tracking designated group individuals throughout their careers. There has to be that kind of data, both for the academic staff and non-academic staff, in order for it to be useful to the employment equity program. In that sense, he said, the census done in 1988 by the Equity Office "was flawed" because the instruments were not coded and the data could not be used to follow people through their employment path. He indicated also that, to his knowledge, no further work had been done on developing such a data system.

To a question as to the amount of resources that would be required to establish a data base suitable for the employment equity program, the Personnel Services and Staff Relations representative replied, "significant resources--much more so than we have applied to it." He concluded with the comment that "we're four or five years behind where we should be in terms of when we undertook the commitment and where we are now. There's not been a lot of progress."

An Associate Vice-President conceded that the lack of a data base was a major problem also from the academic staff side, in that the University did not know the numbers of visible minority, disabled or aboriginal faculty members in its workforce (the number of women is known). He said that if people themselves don't provide this information then the University doesn't know, adding that "I don't really know to what extent we've been able to accumulate that data." He continued, however, that "we are establishing a new academic data base which I hope will give us more of this information readily." This data base will be kept in the Office of the Vice-President (Academic) and the Office of Human Rights will have access to it.

According to the Associate Vice-President, a concern will be getting sufficient resources to operate the data base given that the data entry, updating and maintenance will be very time-consuming and will require people to do it, and considering the difficult economic situation facing the University. He concluded:

> So this is not the best time in our history to implement things like this that many of the faculty think is red tape. On the other hand, we're committed

to it.

Another Associate Vice-President, in the spring of 1991, advised that "we are putting all of our academic staff onto a computer data base so that we can sort for various reasons":

> The problems with moving quickly ... is money because it takes a special programmer to put all of those things into place and right now our computing facilities are also at a low ebb.... I think we are a little bit better on the way because Doris started us out with the means she had at hand ... and now we have hired someone who is actually working on it.... We started on this a long, long time ago and it is a case of somebody had to program this specifically and then to get the resources to get it up and running.

Study on Temporary Academic Staff

Concerns about the status and working conditions of persons appointed as full-time and part-time temporary academic staff at the University of Alberta have been voiced frequently over the years. The Senate Task Force Report on Academic Women (University of Alberta Senate, 1975) addressed the issue of sessionals because "proportionately, twice as many women as men are in sessional positions" (p. 17). The Senate Task Force found that sessionals often were assigned heavy teaching loads for which they received low pay and no benefits such as pensions and group insurance, and they were given no access to sabbatical leaves, travel money to attend conferences, remissions on course fees, library cards during the summer or any other support to conduct their own program of research and publishing. Sessionals, some of whom had been working on a temporary basis for up to ten years, talked about the psychological toll resulting from their lack of job security and from late summer contract renewals which allowed no preparation time. The Task Force recommended that "sessional appointments which have been renewed three times or more be considered for reclassification as permanent positions requiring longer term contracts."

In an October 31, 1985 memo to the Association of Academic Staff (AAS:UA), the President's Interim Advisory Committee on Women's Issues drew attention to "the dramatic increase in the proportion of academic women (from 26.8 to 49.9%) in 'Instructors and Others' positions." Concern was expressed that not only were women disproportionately represented in the sessional category generally but that they were even more concentrated in the part-time sessional category. On March 6, 1989, the President's Interim Advisory Committee reported again to the AAS:UA that it had attempted to obtain more detailed statistics in order to examine more thoroughly the numbers, gender ratios and working conditions of sessionals. What the Committee had confronted, however, was great difficulty in getting data of a sort where information on visiting professors, clinical appointments and graduate student sessionals could be separated from data on other temporary academic staff. One of the major recommendations of President's Interim Advisory Committee was for a "refine[ment] of the categorization system" for sessional staff "so that the various kinds of appointments can be separated out."

The Academic Women's Association, in its ten-year review of the Senate Task Force report on academic women (Academic Women's Association, 1985), called attention to the exclusion of sessionals from employment benefits available to permanent academic staff as well as to the absence of any "university-wide workload guidelines ... to distinguish between part-time and full-time sessionals."

The AAS:UA Women's Issues Sub-Committee on Career Progress and Evaluation reported (Association of Academic Staff, 1987) that "persistent inquiry" revealed that complete information on "some aspects of sessional hiring" was available, including data on "who has been hired as a sessional over the past years, the number of times appointments have been renewed ... [and] whether these were full-time or part-time appointments." However, the Women's Issues Sub-Committee requested the AAS:UA to ask departments for definitions of the responsibilities and rights of full-time and part-time sessionals in their employ. Further, the Sub-Committee suggested that the AAS:UA:

> Recommend to the University that ... annual reports on the appointment of Sessional Lecturers should be made by each department ... and that this

> data should include statistics broken down as to gender on full-time sessional staff, part-time sessional staff (broken down as to the proportion of part-time), renewed contracts, length of contracts.
>
> Develop university-wide guidelines for the terms of appointments of full-time and part-time sessional staff, that these guidelines include specifications for the appointment options possible, and that they include statements of the rights and duties of part-time ... and full-time sessional staff.
>
> Negotiate on behalf of full-time and part-time temporary staff ... rights and benefits as for full-time continuing staff but in proportion to the fraction of their employment.

In January of 1989, an ad hoc committee was formed to investigate employment conditions of temporary academic staff at the University of Alberta. This committee comprised representatives of the AAS:UA including the Women's Issues Committee, the Associate Vice-President (Academic Administration), the Equity Advisor to the President and other members of the University academic community. According to an AAS:UA official, this committee was formed as a consequence of the coincident interests of a number of groups and individuals in various aspects of the temporary academic staff situation. It was therefore a "self-referenced committee" rather than one "appointed by anybody in authority" and it was funded jointly by the AAS:UA and the Office of the Equity Advisor.

The committee's report on Temporary Academic Staff at the University of Alberta: Interim Discussion Paper - November 1989 (University of Alberta, 1989a), found ten major problems associated with sessional employees. Among these were that:

> 1. There are no regulations governing part-timers. Consequently, they have no benefits and are often paid less per course than [sessional] full-timers.
>
> 2. There are no published guidelines on the numbers of courses that will constitute full-time employment and consequently there is wide variation across campus.
>
> 3. Temporary Academic Staff are supposedly hired for one year or less but in reality have been employed for long periods, in some cases 15 -20 years.
>
> 5. There is the perception that Temporary Academic Staff are

"marginal people". This creates low morale and lack of status among this group of employees.

8. Temporary Academic Staff have difficulty pursuing their own research. This is a problem if temporary positions are viewed as a step in an academic career.

9. Some Temporary Academic Staff hold unrealistic expectations that their temporary status will lead to a tenured position at the U. of A.

The committee discovered as well that out of 451 persons hired as temporary academic staff during the 1988-89 year, 322 (71%) were employed in part-time positions. Further, of these 451 temporary staff, 251 (56%) were women and 200 (44%) were men (in comparison, permanent faculty comprised 1301 men (84%) and 251 (16%) women during that same year). Full-time temporary academic staff at the University of Alberta, it was found, were governed by regulations contained in a document entitled Current Regulations Governing Temporary Academic Staff at the University of Alberta (University of Alberta, 1989b). Conversely, there were no rules or guidelines covering the employment of part-time temporary academic staff.

The committee presented a number of options for discussion by the University community, recognizing that "in actual practice we now have a two-tier system of academic appointments." A first option was for the University to adopt employment policies which would eliminate this two-tier system. A second option was for the University to formally recognize the two-tier system while at the same time developing clear regulations covering temporary staff, in one or more of the following ways:

1. Confirm the status quo with modifications. In particular, disparities in salaries, workloads and other terms and conditions of employment could be addressed.

2. Develop a classification system, and a set of rules and regulations, for each group in the classification system, which would address matters such as appointments, salaries, benefits and appeals.

3. Provide for formal recognition of temporary staff whereby the terms and

conditions of their employment could be set through the collective bargaining process.

The Equity Advisor, according to an AAS:UA official, had taken the study to Deans, Chairs, Vice-Presidents and President. He was uncertain, however, as to the outcome of this action from the perspective of the University administration. The study was reviewed also by the AAS:UA Executive and Council although no endorsement was sought. Further, he reported, the current Board of Governors/AAS:UA Agreement Review Committee was actively considering the following two questions concerning temporary academic staff:

> Ought there to be a recommendation from the current Agreement Review Committee to the Board of Governors that they should name temporary staff as "academic staff"? Because if they do so, they then automatically become members of the Association and we would then be required to negotiate a contract on their behalf. The second thing that the Agreement Review Committee is considering is, whether of not that happens, whether or not they want to make recommendations to the Board of Governors about terms and conditions of employment for the group. At this stage [November, 1990], decisions about either of those two questions haven't been made yet, but there has been intensive discussion and I expect that there will be recommendations in due course.

In the spring of 1991, an Associate Vice-President, in reply to inquiries about the response of the administration to the discussion paper on temporary academic staff, advised that:

> You may want to interview Peter Meekison [Vice-President (Academic)] on that.... I think the report went to him if I'm not mistaken.... [However], in terms of some concrete policy development which may have been generated out of the document, I don't think that has happened.

It is important to note that the status of sessionals, including their working conditions, promotional opportunities and potential for movement within the organization, will continue to be of relevance as regards the Federal Contractors Program since temporary academic staff, among whom are represented members of the designated groups, constitute a sizeable and growing portion of University academic employees.

Pay Equity

Even though pay equity is not a specific requirement of the Federal Contractors Program, the initiatives of the University to introduce a pay equity scheme for members of the non-academic staff had a impact on the implementation of the federal program in at least one significant way. This impact was realized in the amount of time and resources of the Office of the Equity Advisor which were redeployed towards the pay equity effort.

As Professor Badir observed, she was aware, at the time of her appointment in 1986, that in all likelihood she would be expected to become involved in the pay equity issue:

> I had assumed that probably I would be brought into the picture at or about the time that they would start to look at what they meant by equal pay for work of equal value.

As with many other issues, concern about the situation of non-academic staff on campus was voiced as early as 1975 by the Senate Task Force on the Status of Women (University of Alberta Senate, 1975). The Task Force itself, however, did not conduct a study of non-academic staff, believing this to be beyond its capability:

> It became clear to the Task Force ... that the complexity and the number of job classifications in the non-academic field warranted a separate study of the status of women there. We also came to realize that the techniques adopted by the Task Force were entirely unsuitable to a study of non-academic staff women. (p. 2)

Instead, the Task Force recommended:

> That a professional, external study be authorized into the status and employment patterns of non-academic women employees of the University with special reference to the personnel classification system.

Following from this recommendation, the Board of Governors engaged consultants William M. Mercer Limited to "examine employment and promotional practices at the University of Alberta and determine if inequities exist in these areas" (University of Alberta, 1986a). The 1982 report of the consultants, entitled Status of Non-Academic Women at the University of Alberta (more frequently referred to as the "Mercer Report"), concluded that "the current pay administration system was inclined to perpetuate discriminatory pay practices found in the marketplace ... [and] that a number of the job descriptions and classification descriptions needed updating" (University of Alberta, 1986a).

With respect to the 1982 "Mercer Report," the Academic Women's Association reported, in April of 1985, that no steps had been taken by the University to implement the 32 recommendations contained in it. Not long afterward, in a May 31, 1985 Convocation speech, the University President referred to Board of Governors' initiatives concerning non-academic women including the William M. Mercer study which, he said, had recommended policy and procedural changes in order to create "an environment in which equal opportunities are available for both men and women and in which individuals receive equal remuneration for work of equal value" (University of Alberta, 1985c). Dr. Horowitz then made a commitment that the University would be "giving high priority to the next phase" where attempts would be made during the following year to "revise procedures and patterns" to achieve the goal of greater equality in the University workplace.

Minutes of a June 13, 1985 meeting of the President's Interim Advisory Committee on Women's Issues report that the Director of Personnel Services and Staff Relations advised the Committee on June 11, 1985 that "the decision had already been taken by the administration to proceed with the main recommendation of the 1982 Mercer study on non-academic staff, which was to replace the existing classification system for job evaluation with a point-factor system."

Subsequently, in December, 1985, the University hired Stevenson, Kellogg, Ernst and Whinney Management Consultants to undertake a three-year study with the objective of implementing an "equal pay for work of equal value system in conjunction with the new classification system" (University of Alberta, 1986a). The purposes of the study were to:

1. Implement a new point-factor job evaluation system called the Aiken plan.
2. Evaluate all support staff positions and develop appropriate job descriptions.

3. Establish policies, practices and procedures to maintain and update pay administration systems at the University.

Under the point-factor system, jobs were to be analyzed according to a limited number of factors and assigned weightings, thus allowing more comparability among jobs.

In order to guide the Non-Academic Staff Job Evaluation Study, an advisory committee chaired by the Director of Personnel Service and Staff Relations and comprising nine other representatives of the University community was established (University of Alberta, 1986b). Sometime after her appointment in July, 1986, the Equity Advisor became a member of this advisory committee.

This work led eventually to February, 1989 announcements regarding a job reclassification system and pay equity program for University of Alberta support staff. These announcements were met with considerable hostility, however, particularly from members of the non-academic staff who were fearful about the possibilities of red-circling and wage freezes (University of Alberta, 1989j). In response, Dr. Horowitz established, in March, 1989, a Pay Equity Review Committee chaired by Professor Doris Badir and involving six other University representatives. The purpose of this Committee was to "review the system and process which was undertaken by the University with respect to a Support Staff Job Reclassification system and the resulting changes to the salary structures" (University of Alberta, 1989l), and to advise the President on the most effective ways to proceed.

The Pay Equity Review Committee presented its Report to the President: Pay Equity Review Committee (University of Alberta, 1989m) to the new University President, Dr. Paul Davenport, on June 22, 1989. Thereafter, in a September 22 special edition of Folio on employment equity (University of Alberta, 1989l), an overview of the history of the job evaluation and reclassification process for non-academic staff, the findings of the Pay Equity Review Committee, and the response of Dr. Davenport to the Committee's report were described. The following were among the findings of the Review Committee:

> The amount of time needed to carry out a major reclassification system, put that in place and then implement a Pay Equity program was grossly underestimated.... [This] resulted in an incomplete and indeed faulty plan being implemented in February 1989.
>
> Each step in the implementation process needed to have been preceded by a carefully planned communication process at all levels of the system. The decision to go ahead with implementation without the careful and thoughtful communication procedure recommended was unfortunate.
>
> The belief that the Aiken Job Evaluation Plan in its pure form would effectively accommodate the needs of the University appears to have been a critical error.

In reaction to the Report to the President: Pay Equity Review Committee, President Davenport established, in September, 1989, a Committee on Job Evaluation Review, again chaired by Professor Badir, to oversee the completion of the job reclassification system for non-academic staff (University of Alberta, 1989l). This appointment was, of course, to have a substantial impact on the Equity Advisor's time as regards further work on the implementation of the Federal Contractors Program. In describing this latter part of her four-year term, when much had been clarified, she felt, about what needed to be done in order to achieve compliance with the federal program, she said:

> Then the pay equity hit us in 1989 with a terrible bombshell, and so all my enlightenment about employment equity and the problem of pay equity hit at exactly the same time, and priorities got mixed, there is no question about that. I mean, that final year when I was for the first time on full-time, it was full-time pay equity, and that's too bad. But it wasn't my decision.

Activities with the Federal Government and Other Universities

Although federal government officials associated with the Federal Contractors Program had visited the University of Alberta campus only once as of the fall of 1990, the Equity Advisor indicated that local federal officials held workshops on a regular basis for all contract compliance employers for the purpose of sharing information and discussing issues. "They send out notices about that and I attended several of those," she said.

In addition, at the initial instigation of Simon Fraser University, persons responsible for equity from universities in western Canada had met on three occasions as of the fall of 1990 to talk about problems and solutions associated with implementing the Federal Contractors Program. These meetings were attended as well as by Mr. Neil Gavigan, Director of the Federal Contractors Program, Employment and Immigration Canada in Ottawa, and local federal officials. Private sector representatives also were invited to these gatherings to share with university representatives their own experiences in meeting federal government employment equity requirements.

In regard to these meetings and workshops, Professor Badir commented that:

> It was very interesting to realize how differently and how very seriously companies like Bell Telephone, Royal Bank, those kinds of companies had taken the issue, as opposed to universities.... When the employment equity practitioners group formed here in Edmonton just a year ago [Fall, 1989], one of the initial interested people was the head of the Royal Bank Employment Equity Program for Western Canada. And it's clear that those organizations ... that have to comply under the federal Employment Equity Act have taken this incredibly seriously and are working at it very, very hard.... The universities still haven't found that out--they are still in true university fashion saying "we're going to fight on this one."

Office of Equity Advisor to the President

In addition to the foregoing, the Equity Advisor conducted a multitude of other activities during her four years in office. Originally a two-year, half-time position, the appointment was extended in July, 1988 for another year, and again in the summer of 1989, this time on a full-time basis, by Dr. Horowitz following consultations with the incumbent President, Dr. Paul Davenport.

As part of her mandate for implementing employment equity, Professor Badir was able to bring about changes to the employment policies in the General Faculties Council Policy Manual. These amendments, which will be discussed more fully in later chapters, were passed by the General Faculties Council in October, 1987 and later ratified by the Board of Governors. They included the principle that "the University is committed to the amelioration of conditions of disadvantaged individuals or groups within the system" (General Faculties Council, 1989, Section 48.1.6). As well, under Section 48.2.3 on "Measures to Prevent Discrimination in Appointments," procedures followed in each academic appointment were to be documented by means of the Recruitment Process Report. Further, in order for the University to obtain more information on the pool of applicants for each academic position recruited to, applicants were to be invited to complete a Self Identification Form. Section 48.2.3 of the General Faculties Council Policy Manual (1989) also required that where few applicants from the underrepresented gender were expected, additional measures were to be undertaken to obtain qualified applicants.

By way of December 5, 1988 and December, 1989 correspondence to the President, the Equity Advisor reported that her Office had taken part in a number of investigations including, in addition to those mentioned previously, a study of the employment systems for non-academic staff which entailed a detailed review of policies on recruitment, selection, promotion, career pathing, and staff development and training; a study on graduate students which focused particularly on the factors which enhance or hinder the progress of these students through the University system; and a study of academic women, as part of the University Senate 1987 Progress Review: Task Force on the Status of Academic Women (University of Alberta Senate, 1987).

The Equity Advisor worked also with the Dean of Student Services to develop policies on international students and Native and disabled students. In a fall, 1990 interview, she mentioned the recent passage by General Faculties Council of a Native Student Policy:

> We worked on that all last year and developed a Native Student Policy and then it went to the [GFC] Committee on Student Affairs and then it went to the Executive of GFC and then it went to GFC this fall.

She met on several occasions with University administrators, including Deans and Chairs, and with other groups on campus, and prepared articles and other communications to raise awareness of equity issues (for example, University of Alberta 1986c; 1987b; 1988c; 1989k; & 1989n). She liaised with various bodies, groups and committees including the Non-Academic Staff Association (NASA); Association of Academic Staff (AAS:UA); Graduate Students' Association; Students' Union; the Academic Women's Association; Women in Scholarship, Engineering, Science and Technology (WISEST); President's Advisory Committee on Sexual Harassment (PACSH); Women's Studies Committee; and the Women's Research Institute. Also, the Equity Office received complaints on human rights and other matters from academic staff, support staff and students which were referred to the appropriate office for resolution and the outcomes monitored.

Finally, Professor Badir helped organize, in cooperation with the University Secretariat, two professional development workshops, held on May 29, 1987 and May 10, 1988, on "the philosophical and pragmatic issues which have arisen on matters of employment equity and equality of employment opportunities since Judge Rosalie Abella's visit" (University of Alberta, 1987a) and on "implementation of employment equity" (University of Alberta, 1988b). To the first workshops were invited "all academic staff, but particularly those who are involved or who have a special interest in human rights issues" and, to the second, "all senior administrators (deans, chairmen, etc., and their associates), administrative and professional officers, and others interested in the program."

Around 100 persons attended the first workshop among whom were about 20 academic staff, and approximately 80 attended the second including about 25 academic staff members. However, among the academic staff in attendance were:

> Usually the ones that need to come the least--that already know the most about it. You are preaching to the converted--you don't get those that really should come. The ones who are absolutely negative about the issue or the policy--they're not coming.... About a year ago or two years ago there was a very strong backlash starting on equity and the equity program, needless to say, by people who misunderstood the whole issue and hadn't attended any of those workshops.

The Equity Advisor recalled that at the 1988 workshop, "there were about six or eight Chairs there--not, by any means, all of them but there were a number there, and some of the negative feedback came from Chairs."

Despite all of these efforts, however, there were definite limitations, for a number of reasons, as to what the Equity Advisor could achieve in relation to the implementation of employment equity and the Federal Contractors Program at the University of Alberta.

Former President Horowitz, in response to a question about the responsibilities of the Vice-Presidents for implementing employment equity, described his appointment of the Equity Advisor in the following manner:

> I had Vice-Presidents that were responsible for segments of the University and then Doris was added, really Vice-President status--I hope she felt that way. I think the other Vice-Presidents saw her that way but whether they did or didn't.... I think that while the decision to have a special assistant was mine, it certainly wasn't a matter of dissension at the Cabinet level. I'm not saying that the other three necessarily applauded wildly. And once I made the decision, I think there was acceptance that she was a member of the senior team. [And] I expected Doris to communicate with whoever needed to be informed about any [equity] matter at all.

According to the Equity Advisor herself, however, her inability to bring about certain changes had to do, to a considerable extent, with the nature of her position and its absence from the formal organizational structure of the University. Describing her appointment as essentially an "informal arrangement," she said, "you need to have a place in the diagram":

> When anybody drew the diagram of the University administration, I sat out there. I wasn't in a line relationship at all. And it was temporary--everybody knew it was temporary. There was not a position there that said "the University has an Employment Equity Officer who reports to the President."

The consequence of this informal arrangement was that the Equity Advisor had no authority to introduce changes on either the administrative side of the organization, concerning non-academic staff or on the academic side, regarding the academic staff. As she described her situation, "as advisor to the President, you have no authority whatsoever except through the President."

Reflecting back on her years as Equity Advisor and on what she now thinks would be necessary to bring about compliance with the Federal Contractors Program, she said:

> I think that the only way that compliance will work within the university system is that if the plan that the University presents ... for affirmative action is a plan which is developed department by department, based upon the figures ... [from] universities with respect to the number of Ph.D.s that have been granted [and] based upon the workforce analysis for the City of Edmonton with respect to the non-academic staff.

Elaborating further on this process, she said:

> I think that when the Deans have retreats, there ought to be a very definite time spent on the whole question of affirmative action and what it means and where the University wants to sit. Anything that's done now has to come from the Deans. They have to go from their meetings with Vice-Presidents to Chairs and say "every department must establish goals for itself," and you've got to sit down--just like they had to do with PACCR [President's Advisory Committee on Campus Reviews which involved reviews of each department]. That was an administrative decision.... and I think that that same process has to take place with the business of setting goals for staffing.

CHAPTER 6

CLIMATE

The literature suggests that attitudes towards a policy, held by those persons who must oversee its implementation or who will be affected by it once it is in place, can significantly influence the implementation process. At the University of Alberta, there was no comprehensive survey undertaken of the attitudes of the campus community towards the concept of employment equity or the implications of Federal Contractors Program. Nevertheless, over time, several incidents occurred which illustrated clearly the existence of disparate viewpoints over such issues as special measures to enhance employment opportunities for designated group members. These views were characterized, among other factors, by a considerable degree of polarization and by the vehemence, and sometimes violence, of those opposing.

Campus Correspondence

Expressions of opposition to the idea of rectifying gender imbalance among the academic staff by giving special consideration to the matter of gender in employment decisions, together with support for the "merit principle," began to appear in the form of letters to campus media and in interdepartmental correspondence as early as 1986, after the 1985 visit to the University of Judge Rosalie Abella.

In April of 1986, for example, a document featuring a "Statement of Principles" was circulated in one department in an attempt to ascertain whether departmental members agreed with the belief that "only by restricting employment decisions to criteria of merit, can the University live up to its commitments to academic excellence and equal opportunity." The sender indicated that he and others:

> Questioned the wisdom of policies that are based on the statistics of

> male/female proportions in the various fields and ranks of employment at the University of Alberta. It is feared that the inclusion of sex as a consideration affecting employment, incrementation and promotion decisions would represent a departure from criteria of merit hitherto generally accepted.

Subsequent to a report in Folio (University of Alberta, 1986c) on the Equity Advisor's address to the 1986 fall Convocation, Professor Badir received a January, 1987 letter which argued that any consideration of gender in hiring practice constituted reverse discrimination, and that the justification for such consideration was based on the faulty assumption that the predominance of males among University faculty was a result of discrimination. The writer stated that preferential treatment for academic women would do nothing to improve the status of women in general because it was directed to an already privileged, elite class of women. He said further that no women would want to be appointed or advanced on the basis of gender and that such measures would result in suspicion being cast on the qualifications and ability of all academic women. In part, the letter read:

> When ... members of an academic department ... are advised "to stop pussyfooting around and appoint women candidates," ... the inferences are inescapable: at the University of Alberta, coercion is neither offensive nor actionable when it is directed against those who do not subscribe to reverse discrimination.
>
> The justification for making sex a criterion is based upon statistics relating to the predominance of males.... There is no evidence that this situation has arisen as a result of discrimination ... on the part of the University.... The preferential treatment of women academics does nothing to improve the status of women in general ... by providing benefits to a class of women already in a privileged, elitist community.
>
> I am convinced no woman meriting appointment or promotion would wish to be advanced on grounds of sex.... Since there is already a suspicion that in some cases status has been achieved on the basis of sex, rather than proven ability, there may evolve a perception that this is true in all cases.

In a March, 1987 reply, the Equity Advisor pointed to the difficulties of defining and measuring merit, observing that merit decisions are in many respects informal and subjective decisions at best, and that all selection, ultimately, constitutes a form of preferential treatment. She explained that the federal government's policies were intended to eliminate employment practices which discriminate on the basis of characteristics such as gender and emphasized that measures required by the government did not involve quotas or the hiring of unqualified persons. She noted the insult to women emanating from the writer's inference that women were less represented among University faculty because they lacked merit and from the assumption that any effort on the part of the University to increase women's representation would necessitate a lowering of standards and a subscription to reverse discrimination:

> What is never clear in any evocation of merit is just how merit is to be determined. The procedures by which it is defined are generally uncodified and vary across disciplines.... What measures do we have that are unflawed and allow us to determine merit objectively?
>
> Merit decisions are, at best, informal and by virtue of their informality often subjective, personal, intuitive and capricious. We are most likely ... to base the judgement on our ability to feel comfortable with, to interact with and to identify with someone.... This allows us to exclude people from consideration on the basis of ascribed characteristics rather than achieved characteristics.
>
> All selection is a form of preferential treatment and this preference has traditionally been exercised to the benefit of men.
>
> Your assumption that the University, by taking the stance that they wish to demonstrate leadership in the society by employing highly qualified women as well as men and by encouraging highly qualified women in their careers, is somehow or other lowering standards and subscribing to reverse discrimination is an assumption that is patently untrue.

A protracted debate on employment equity took place by way of Folio from October, 1988 to March, 1989, after which time the editors wrote that "Folio will not publish any more letters on the employment equity issue unless they are judged to contain a new idea or approach" (University of Alberta, 1989i).

Some of the debate likely was provoked by an October 6, 1988 letter to Folio (University of Alberta, 1988c) from Professor Badir regarding revisions to Section 48 of the General Faculties Council Policy Manual. In part, Professor Badir wrote:

> In June of 1987, GFC passed the revisions to Section 48 of its Policy

> Manual which changed the wording from "equal opportunity" to "equity in employment." The latter term embodies the principle of equal opportunity but involves the implementation of special measures to facilitate the employment of target groups. It does not, nor has it ever meant to, eliminate or replace the "merit principle." It is meant to remove roadblocks and to take initiatives which are designed to improve the status and opportunities of some target groups.
>
> The purpose is not to dilute or reduce the standard of excellence within the [University] community.
>
> It is time that we heard our colleagues rallying to the defence of a principle which suggests that there is a wider pool ... from which the University can recruit.... The governing bodies believe it. It is time that the rest of us began moving toward changes which would put us in the vanguard instead of trying to hold on to outdated medieval and monastic principles.

Of the 24 or so letters on this topic which appeared during a six month period thereafter, five were in support of and twelve were against employment equity measures; another seven were written in response to a particular letter (University of Alberta, 1989d) from a professor who felt that employment equity would force mothers into the labour force where they did not belong, and that no consideration was being given to the effect such policies would have on mothers and children:

> One of the most important activities is to produce the next generation of children. Mothers and fathers have different, equally valuable roles. Equal distributions of men and women in activities outside and inside the homes is not possible. Employment equity in the sense used by the University of Alberta would be good for women who do not produce children, but it would tend to make slaves of women who do.

Others opposed to employment equity expressed the view that special measures were not justified and, indeed, were unfair, undemocratic and resulted in reverse discrimination against men. The only criterion for hiring, they said, should be merit:

> Any selection policy based upon anything other than choice of the best qualified candidate directs a selection committee's endeavors away from basic democratic principles. It is not possible to search for female faculty members ... nor is it possible to bias the selection process in any other way favourable to women, without discriminating against men. (University of Alberta, 1989e)
>
> The most fundamental objection to a policy of reverse differential treatment is that it amounts to replacing alleged discrimination committed by some individuals ... by legislated discrimination. Discrimination in any form is an

> affront to human dignity, and one must be wary of any attempt to provide justification for it. (University of Alberta, 1989h)

The idea was put forward also that employment equity would result in the hiring of unqualified persons at the expense of academic excellence and at a personal cost to the individuals involved:

> To select any candidates other then the most eminently qualified for professional appointments, no matter how noble one's motives might appear to be, can only cause a deterioration in academic standards and create the possibility of inducing tremendous personal conflicts in individuals incapable of coping with the positions in which they have been appointed. (University of Alberta, 1989e)

No woman anyway, it was conjectured, would want to be given special treatment. As one professor phrased it, "I doubt if female academics would wish to be assessed other than on the basis of their ability alone" (University of Alberta, 1989e). Some voiced the belief that there was no need for additional efforts to increase the percentage of women academics on campus and certainly no benefit to be gained from their increased representation among the faculty:

> There is no evidence to support the necessity for any deliberate ratio between the number of female faculty members to female university students in the university. It is unlikely that one could establish that female professors are necessarily more appropriate for the education of female students. (University of Alberta, 1989e)

> The merit of ... [the professor's] letter is that it attempts to justify the view that "the overwhelming predominance of males on the academic staff is bad for the educational environment."... He fails to indicate, however, whether his claims are the result of any previous research or merely his personal beliefs. (University of Alberta, 1989h)

> We know that some people will be hurt by the advocated policy, but do we know that any will be helped? Moreover, discriminatory hiring policies do not attack the problem at its roots ... but merely attempt to manipulate the symptoms, in this case the statistics. (University of Alberta, 1989h)

Another professor, however, writing in support of employment equity, acknowledged that while for some the concept was threatening, such changes were not likely to come about quickly, without thorough discussion and general agreement:

> Nor is it surprising that a few individuals, seeing their privileged position and

> favourite ideas increasingly under attack, feel a modicum of discomfort and alarm. They can take reassurance, however, from Canadians' historic disinclination to pursue the path of revolutionary change. Rather, the faults in the ... system are being slowly and incrementally addressed through democratic means. (University of Alberta, 1988f)

Other supporters argued that certain groups were disadvantaged because of systemic discrimination originating from faulty assumptions, values, and structures in our social system. The point was made that unfairness and disadvantage resulting from systemic discrimination could be eliminated only by addressing inequality at all levels of society:

> Groups whose members suffer disadvantage ... have variously analysed the grounds of their disadvantage. They agree, however, on the systemic nature of discrimination ... [which involves] hitherto uncriticized assumptions about the "universal" nature of qualities and standards that, in actual fact, reflect decidedly limited experiences and outlooks. (University of Alberta, 1988f)

> Discrimination is not simply personal prejudices in hiring but a disease that systemically pervades our social system. The disease is a symptom of a faulty social structures and misplaced value systems.... In order to achieve any fair representation of people in employment the issues of inequality in all levels of society must be addressed. (University of Alberta, 1988e)

Emphasized also was the fact that special measures did not mean the engagement of unqualified persons nor the conferring of unfair advantage to certain groups. Such measures, it was suggested, could be interpreted instead as giving previously disadvantaged persons a fair chance:

> The University of Alberta and any other employer can certainly uphold the principles of merit and excellence while ensuring each person is free from discrimination.... Any measures taken to address the needs of people who have been disadvantaged should not be seen as giving ... "advantage to those with specific inherited characteristics". Instead, these measures can be seen as allowing people to compete fairly. (University of Alberta, 1988e)

> Excellence in academic studies and job performance is a result of equality and not a replacement for it. (University of Alberta, 1988e)

One professor, a man, took the position that "the overwhelming predominance of males on the academic staff" was not good for the educational environment for a number of reasons:

> (1) It makes the ambience considerably less comfortable for women students than would otherwise be the case; (2) it gives students of both sexes a distorted view of the intellectual potentialities of men and women; (3) it discourages capable women from pursuing academic careers, thus narrowing the field of talent from which academics are drawn and ultimately lowering the quality of the academic staff; and (4) it makes it more difficult for points of view which are more likely to arise from women's exprience of life than from men's to get a hearing, thus narrowing the range of options students can encounter. (University of Alberta, 1989f)

This same professor sensed that efforts to reduce the predominance of men among the academic staff would of necessity involve "some discrimination against males in academic hiring" with the result that "a considerable amount of additional acrimony" would accrue to the process. His overall assessment, however, was "that the gain in the long run will be worth the pain over the next few years."

Another aspect of the discussion which generated a considerable range of opinion and revealed a significant lack of a common understanding concerned the actual interpretation of University of Alberta hiring policies and the University's official stance on employment equity. One person concluded that:

> Unless we hear significant disagreement from University of Alberta employees ... it seems safe to conclude that the University community widely supports our recently adopted policy of employment equity. It follows, too, that implementation of this policy likewise has the support of most, if not all, members of the academic and non-academic staff. (University of Alberta, 1988f)

Others contradicted this perspective by indicating that they were unclear as to what the term "employment equity" meant and whether such a policy was coherent with General Faculties Council (GFC) policy which they interpreted to be an "equal opportunity policy." It was suggested, furthermore, that some sort of statement on the part of the administration was required in order to clarify the University's stance:

> Has our University now abandoned its former commitment to a policy of employment on the basis solely of merit?... The term [equity] is sufficiently vague to permit its interpretation to be various, its implementation equivocal, and to allow its practitioners a free hand to impose a policy of quota employment. (University of Alberta, 1988d)
>
> The recent series of articles in Folio on the subject of employment equity

> has not, unfortunately, served to clarify the topic. The policy statement passed by GFC ... appears to affirm the principle of equal consideration of all candidates ... without regard to such characteristics as sex and ethnicity.... There seems to be a large amount of concern and rumor [sic] on campus about just how the employment equity policy will be or is being implemented. (University of Alberta, 1989c)
>
> Since, in practice, equity supercedes the principle of equal opportunity, and since, implicitly, there is a commitment to a policy of preferential treatment, I would recommend that the University amend its advertisements to make the meaning of its commitment unambiguous and render unequivocal how equity is to be applied. (University of Alberta, 1989g)
>
> The situation at this University certainly deserves to be clarified. On one hand, GFC policy ... reaffirms the principle of equal consideration of all candidates .... On the other hand, recent letters to Folio suggest ... that this policy is perceived as promoting discriminatory measures against males. If such a perception is a misinterpretation, a clearly worded statement to that effect by the policy makers would serve a useful purpose. (University of Alberta, 1989h)

The "Blue Book"

The "Blue Book" and Memo

A response to those requesting clarification of University employment policy came shortly thereafter in the form of a March 23, 1989 memo (Appendix F) from the Vice-President (Academic) and the President of the Association of Academic Staff (AAS:UA), which was sent to all University academic staff together with a booklet entitled Seeing and Evaluating People (Geis, Carter, and Butler, 1986). The memo read, in part:

> In recent years, departments have been asked to pay particular attention to the legitimate credentials of members of groups other than those from whom university faculty have traditionally been hired. In particular, departments have been asked to seek and to give equal consideration to the candidacy of women for academic positions, and to give fair and equal treatment to women and men in performance and promotion evaluations. In fact, if a male and a female candidate have essentially equal qualifications, departments have been encouraged to hire the female, in the case of most departments, to compensate for the small percentage of women in the department.... This is the intent of the employment equity policy for academic staff at the University of Alberta.
>
> The purpose [of the booklet] is to aid the realization that the objective evaluation of objective information is frequently less objective than we are accustomed to believe. When this is realized, the equity policy becomes

understandable, even necessary, as a fair policy to help us avoid bias.

The memo asked academic staff to review and discuss the contents of the booklet and invited them to a "panel discussion of the issues raised in this booklet" which was to be held on April 14, 1989.

The book Seeing and Evaluating People (Geis et al., 1986) shows how stereotypes, as tacit knowledge about men and women, can influence the perceptions and decisions of both men and women relative to the hiring, remuneration and promotion of academic staff. It seeks to help persons to understand the social and cultural origins of stereotypes and suggests a number of mechanisms to ensure true equal opportunity for women in academe.

The "blue book," as it more widely came to be known, was encountered first by a member of the AAS:UA Women's Issues Committee who brought it to the attention of Committee members with the suggestion that it be used as part of their educational program. Established in March, 1986 on the approval of the AAS:UA Council, the Women's Issues Committee considered as part of its mandate the education of the University community on a variety of issues affecting academic women, including issues such as employment equity, through mechanisms such as workshops and seminars (Association of Academic Staff, 1988).

According to an AAS:UA official, the Women's Issues Committee examined the publication, came to the conclusion that it could be useful and recommended to the Executive and Council that the Association purchase 2,000 copies for distribution to each member of the academic staff. The Committee suggested also that a workshop to generate discussion on and increase understanding of the issues raised in the book be organized.

Prior to bringing these suggestions to the attention of the Council, the AAS:UA President circulated the "blue book" to a number of colleagues to ascertain whether, in their opinion, the "purported survey of science was accurate and complete." On receiving generally favourable comments, the President then took it to Council which in turn endorsed the proposition that it be sent to all the members.

Because the planned follow-up workshop would have been the first such workshop offered by the AAS:UA Women's Issues Committee, the AAS:UA Executive and Council decided that it should be sponsored instead by the Association as a whole rather than by the Women's Issues Committee, and that it should be done as a joint effort with the University administration. The reason for this, said an AAS:UA Executive member, was "to try to reduce the perception that this was just women within the AAS:UA power structure saying these things":

> So rather than having the letter go from the Women's Issues Committee, the President of the AAS:UA was going to sign the letter very clearly, and, if we could get the University administration to co-sponsor it, then the Vice-President (Academic) would sign a joint letter. So this was drafted at the AAS:UA and was sent over for signature by ... [the Vice-President (Academic)] and the expectation was that ... [he] would chair it [the workshop].

As it turned out, both the booklet itself and the covering correspondence generated, in the estimation of the AAS:UA Executive member, considerable negative response. Commenting that "the crap we took for the distribution of that book was astounding," he said:

> This letter created a whole new raft of hate mail to our office.... The controversial statement in here [the memo] is whether or not this was consistent with GFC policy, with people attacking it on the basis that it was contrary to GFC policy.... I'm referring to the usual group that tends to squash everything that is said. And there were tons of meetings following this between ... [the AAS:UA President] and the "Merit Only" Group, trying to calm them down. The position we took is that it was not inconsistent with GFC policy ... all it simply said was that assuming you have two people either of whom you would hire because they are excellent candidates, hire the women.

The Equity Advisor also commented on the "fuss over the 'blue book'," saying "none of us could understand why that book caused such a fuss because it seemed like such an innocuous sort of book." However, a former President of the AAS:UA said, about the distribution of the booklet, "we inevitably got the collection of angry responses, but not a heck of a lot.... There weren't very many of them.... I mean, anything you do in the

AAS:UA you're going to get six letters or five letters."

One person who was a member of the AAS:UA Women's Issues Committee at the time the book was circulated acknowledged that "we were all very aware, when we were distributing the booklet ... that it was going to be controversial." But, she indicated, it was the wording of the accompanying memo from the Vice-President (Academic) and the President of the AAS:UA, which was in fact an interpretation of GFC policy, that:

> Really inflamed a lot of departments because they said, "well, we may have in our policy that we are committed to employment equity but nowhere, before now, has anyone interpreted that policy." This is the first statement of what our employment equity policy means, and here's the Vice-President saying "if a male and female candidate have essentially equal qualifications, departments have been encouraged to hire the female." And a lot of departments came back and said "this is the first time we've heard of this. Where is this written in our policies"?

The memo was, she said, "the first piece of paper that has come out of this University interpreting what employment equity means ... for academic staff at the University of Alberta." And part of the "huge objection" to the booklet and covering memo was in fact a response to this interpretation; it was seen as:

> An intervention into the hiring process by the senior administration without consultation with any of the departments, Deans' Council, faculty councils, anything. And that's why there was such a fuss.

An analysis of eight letters by four authors written between April 25, 1989 and July 12, 1989 to denounce the contents of the memo and "blue book," revealed that their major arguments and concerns could be categorized as follows:

1. Special measures of any sort to assist women and minorities are unnecessary because there is no proof whatsoever that members of the University who have been party to employment decisions, whether past or present, have been anything other than totally fair, objective and unbiased in their determinations. Furthermore, in the absence of any evidence that equal opportunity policies do not work, why are new policies being entertained?

I cannot recall an instance when decisions concerning appointment,

> incrementation or promotion were not made on the basis of an honest, consciously objective, assessment of merit.... But if this alleged discrimination has not occurred in my department, which particular departments have been guilty?
>
> [Before introducing] a policy which exhorts us to exercise invidious discrimination, credible evidence in support of the theory that equal opportunity discriminates against women must be provided.
>
> This is the incredibly irresponsible, unfair and insulting insinuation that female academics did not receive equal consideration; that they were deliberately excluded, and that past administrators, like me, discriminated against women.
>
> The only meaning "rectification" could have in the context of the [Employment Equity] Act is "achieving equity"; and achieving equity means achieving proportionate qualified representation. Since it has not been shown that that is not precisely what we have already achieved, we must assume that that is already what we have achieved. In this case the Act requires nothing further of us.
>
> Surely the onus is on supporters of so-called "equity" to produce incontrovertible evidence of discrimination, and to proceed against those guilty of its practice, rather than encouraging further acts of egregious injustice?

2. There are fewer women faculty members not because of discrimination but because of social and other factors beyond the control of the University and which the University should not be required to rectify. Systemic discrimination is not real and does not exist:

> Because of the existing sexual numerical imbalance, there is an assumption that past discrimination against women is proven. This is arrant nonsense, which overlooks the many social and other factors which determined the pool of available academics in the past.
>
> Systemic discrimination [is an] expediently ambiguous construct, disseminated by the burgeoning bureaucracy of militant feminists ... to mount demands for preferential treatment for female academics.

3. The only basis for appointment and promotion should be merit, as measured objectively and impartially. The "blue book," which attempts to illustrate that "objective evaluation ... is frequently less objective than we are accustomed to believe," is unscientific nonsense:

> The Blue Book, offered in support of the new policy, is an insult to one's

> intelligence.... The work is tendentious; advancing popular pseudo-scientific theories as self-evident truths, the authors studiously ignore every scrap of documented evidence that challenges conclusions such as theirs with persuasive authority.

4. Women, as a powerful minority, have forced the administration into adopting certain policies and have intimidated members of the University community into acting to correct injustices which have not occurred and do not exist.

> Colleagues share my concerns about policies and practices that would appear to have been adopted under pressure from a powerful and implacable minority.... In the present climate, it is politically expedient to be seen taking ... steps to right an alleged (but hitherto unproven) past injustice against women ... [and] to atone for hypothetical sins.
>
> [The administrators] have given in to the "immoderately expressed views" of the feminists and constantly insinuate bias, prejudices and "stereotypes" of former administrators, who are accused of having "discriminated unintentionally."
>
> Since people pursuing the ideological approach of the feminists cannot be convinced by facts, we are confronted with a *fait accompli*.
>
> What do these women want by continually talking about the matter? They have kept on about it for so long that they must want to displace men unfairly and are using political means to achieve this.

5. It is unjust to discriminate against present day males for supposed past injustices committed against women:

> To discriminate against today's male applicants ... because of alleged but unproven past discrimination against female academics smacks of inflicting punishment on those who cannot be judged guilty of the original act of discrimination, even supposing it occurred.
>
> There is of course the small matter of justice and fairness. If policies that are being suggested catch on in practice ... then some male applicants for jobs are going to be treated unjustly ... because their sex will be counted against them.
>
> The ... conclusion is that, because "women did not do certain things in the past" and because there have been more male academics than female academics in departments, male academics of the present must be discriminated against. What have male academics of the present to do with decisions of women in the past?

6. The policies proposed in the March 23, 1989 memo from the President of the AAS:UA and the Vice-President (Academic) encourage discrimination on the basis of sex which is a

contravention of GFC policy. The administrations's recommendations constitute a misuse of power on their part:

> We are being encouraged to violate G.F.C. policy.... If you think otherwise, look again at the March 23 letter to all academic staff from the Vice-President (Academic) and the President of the Staff Association.... If this is not asking us to make sex a factor in hiring (contrary to Principles 1 and 2 of G.F.C. policy), please tell me what would be.
>
> Our "law" ... is the written policy of G.F.C.... It is irresponsible of senior administrators to speak as if G.F.C. permitted sex to be a factor ... in hiring. They should not be using their influential offices to persuade faculty members that the G.F.C. rules are already the rules they themselves would like to see.
>
> What you and ... [the Vice-President (Academic)] want is that ... we shut up and give up and let you do whatever you want to do, whether it is in compliance with our GFC legislation or not.... When insurmountable opposition in General Faculties Council is expected, our legislature is by-passed, and the executive ... simply announces "administrative policies." The existing ... policies about appointments are simply ignored and violated.

7. There is a need for the administration to clarify what the University's hiring policies are:

> In the meantime, in order to stem escalating confusion, it is important that high-ranking officers of the University publicly abd [sic] loudly remind us what the University of Alberta's academic hiring policy actually is.

In a May 3, 1989 reply to some of the correspondence ensuing from the memo and "blue book," the President of the AAS:UA wrote that the "AAS:UA has no policy on these issues." He implied as well that the interpretation of GFC policy put forward in the memo from the Vice-President (Academic) and himself originated with the Equity Advisor, observing that her advice to departments regarding the hiring process was as follows:

> If the search and selection process has produced two or three candidates of essentially equal merit ... and if one of the candidates is of the sex or minority that is underrepresented in the Department, the recommendation is to hire that candidate.

Earlier, in his opening remarks to the workshop and panel discussion on the "blue book," which took place on April 14, 1989, he also suggested that the interpretation of the GFC policy originated with the administration:

> That is the employment equity policy at the University of Alberta, both as approved by GFC and as interpreted by the President and his Equity Advisor.

AAS:UA has not formally commented on the policy."

The Panel Discussion

Although originally to have been chaired by the Vice-President (Academic), the April 14, 1989 panel discussion on the "blue book" was actually chaired by the AAS:UA President. After his opening remarks, there were presentations by four panel members who were chosen to represent a spectrum of opinion on the issues raised in the publication.

Reflecting on the discussion which came after the panel presentations, a representative of the AAS:UA felt that while a range of views were expressed, the "majority of comments were favourable." The remarks, he said, extended from "this is the kind of educational thing that we need" and "I'm glad you did this because it opened my eyes to some of my own biases" to those who took offence, interpreting the effort as an accusation that somehow they had not been fair. Others, he said, were "downright hostile, who suggested and continue to suggest that" any change in policy on the basis of equity "is a denial of the principle of merit and therefore contrary to everything we hold dear in the University." While of the opinion that those with hostile viewpoints were "a distinct minority," he nevertheless emphasized that there was no unanimity regarding the measures recommended in the "blue book" even among those in agreement with its basic premises.

Extending this discourse to a more general comment on the position of faculty as a whole towards the matter of equity, the AAS:UA representative continued:

> I would say that without exception, by far the majority of our staff will support the principle of merit. To suggest that the principle of equity negates the principle of merit is a viewpoint held by a much smaller percentage and probably a distinct minority. But the debate over the overlap of equity and merit is one that remains, I think, a very germane debate.
>
> The problem that we see in too much of the Folio debate and other places is that the extremes are debating and the majority, who are wrestling with the implications of two principles which aren't necessarily in conflict, but which do speak to different questions, is a very real one, and continues on this campus, there's no doubt about it.

A different perspective on the "blue book" workshop was expressed by a former member of the AAS:UA Women's Issues Committee who recalled that after the four panelists had spoken, there followed a "very discouraging discussion" where a number of people "who were very opposed to everything that was in the 'blue book' just basically stood up and gave tirades that were very abusive in tone." This meant that those people who had hoped for some real discussion went away feeling "down at heart" that there would be nothing but "intransigence":

> I would say that somewhere around ... 70 to 80 people showed up and many of them were vocal opponents of what was being attempted here. The main message we got from it was that we were going to have great difficulty having a rational discussion about this. We tapped something, we hit something very deep and hurtful. And that was a revelation.

The "Merit Only" Group

While it is clear from various communications sent to Folio and to other offices and individuals on campus during the period 1986 to 1989 that there were a number of individuals who were very opposed to giving gender (or any other characteristics) special consideration in matters of hiring, it appears that it was the circumstances surrounding the distribution of the Seeing and Evaluating People booklet and accompanying memo from the President of the AAS:UA and the Vice-President (Academic), and the subsequent panel discussion, which served as catalysts for the formal organization of several of those persons into a group known as "Merit Only."

Correspondence from the Steering Committee of the "Merit Only" Group, dated September 18, 1989 (Appendix G), revealed that the group had had an inaugural meeting in May of 1989:

> A group of some 25 faculty members met on May 23, 1989, in HC 5-20 in common opposition to the seemingly sex discriminatory hiring policy being promoted by some of the University's senior administration. The group provisionally took on the name "Merit Only".

The correspondence, intended to provide background and an agenda (Appendix H) for a September 28, 1989 meeting of the "Merit Only" Group, outlined what decisions had been reached on May 23 as well as the political and lobbying tactics which had been undertaken or were planned for the future, including those listed below:

1. Those present at the May 23 meeting agreed to attempt to recruit new members.

2. Four members of the Steering Committee met with Olive Elliott of the Edmonton Journal after which there followed "four pretty accurate and sympathetic articles in Elliott's column."

3. The Steering Committee wrote on July 12, 1989 to the AAS:UA requesting "representation at a forthcoming meeting of the new University President with AASUA in which members of the Women's Affairs Committee were to be included and in which issues of gender equality were to be discussed" (the minutes recorded that the Steering Committee "was given to understand that the group would be advised [by the AAS:UA] to seek its own independent meeting with the President").

4. The Steering Committee wrote to the President outlining the concerns of the "Merit Only" group and asking for a meeting with him.

5. Certain professors wrote to all members of their Faculties "outlining the preferential hiring policy ... and asking for indications of opposition to gender-based discriminatory hiring." This action was reported to have produced eight new members.

6. "Various members of the group have been engaging members of the Administration in private correspondence throughout the summer," however the communication was mostly "one way only and can't be judged to have had much impact." Two things were learned:

> The Employment Equity Officer believes that Federal Legislation requires us to give some weight to gender in hiring decisions, and that the Vice-President believes that the policy which he has been promoting is consistent with G.F.C. hiring policy. (It might be useful if members were to read Section 48 of the G.F.C. Policy Manual and make up their own minds about this.

7. At a September 12, 1989 meeting of the Steering Committee, the need to

expand the numbers and to increase awareness of the existence of the group and what it stands for were emphasized as most important next steps.

The accompanying agenda for the September 28, 1989 meeting (Appendix H) listed a series of "possible actions regarding publicity and pressure" including highly political activities such as:

> Members of "M.O." to continue with recruitment effort. Particularly desirable to get a foothold in all major divisions of the University and in relevant councils and influential bodies.
>
> Writing Campaign. Members of "M.O" write as individuals to University Officers, Staff Association, etc.
>
> Is "Merit Only" the name we really want? (There was a feeling in the Steering Committee that a name reflecting our concern with 'justice' or 'fairness' might be more appropriate, and politic.)

Subsequent to the circulation of the invitational memo, one faculty member took it upon himself to further encourage members of his department to get involved with the "Merit Only" effort. In a memo demonstrating, perhaps, questionable ethics, he urged academic staff members to "please come to the meeting announced on the attached, or at least send a note of support to any member of the steering committee":

> Last spring there was a letter, signed jointly by the Vice-President (Academic) and the then-President of the AASUA, that in effect asked selection committeess [sic] to discriminate against male applicants for academic appointments.
>
> Their action should be opposed. For one thing, hiring policy is set by the Faculty Agreement, and those officials do not have the authority to change it. For another thing, even if the pursuit of 'gender balance' were a valid diversion of our very scarce resources, discrimination in hiring would be an even less acceptable way to pursue it that [sic] would selective executions of senior staff members, not that I would wish to encourage too many further steps in that direction, either. Even if now-older men were in the past to have done injustice to now-older women, it would not follow that the corrective is to do injustice now to now-young men.
>
> The support of female staff would be especially welcome ...

The Department of English

The 1989-90 academic year at the University of Alberta saw the installation of a new President who, during the summer of 1989, attended meetings and other functions to become acquainted with the University community. At one such function, an early August, 1989 luncheon, he asked the President of the Academic Women's Association (AWA) whether "the University's current policy governing hiring was adequate to address the needs of women as a disadvantaged group within the system." In an August 14, 1989 reply to President Davenport, the AWA President reiterated her earlier answer to him that:

> Much depended on how the policy was interpreted and carried out: the statement of policy is very general ... hence the possibility for meaningful action lies in the guidelines, regulations, enforcement and monitoring procedures.

Furthermore, she advised him that "the adequacy of the University's policies and regulations as they affect recruitment and hiring" would be a major area of review by academic women in the upcoming year.

Proceeding from the commitment of the Academic Women's Association to concern itself with issues related to recruitment and hiring, the September 22, 1989 edition of Folio (University of Alberta, 1989o) announced that:

> This year the Academic Women's Association plans to focus its attention on recruitment and hiring policies at the University.
>
> AWA President Susan Jackel says the intent is to keep those questions under discussion and to come up with specific proposals for increasing women's representation.

The group's first meeting, held on October 12, 1989, featured a panel presentation with four speakers, one of whom spoke on the need for a sound statistical basis for illustrating the existence of systemic discrimination and for developing plans of action with targets and timelines. This same speaker drew attention also to: the fact that affirmative action is permitted under the Charter of Rights and Freedoms and under the Alberta Individual's Rights Protection Act; the need for clarification as to the meaning and interpretation of General Faculties Council policies on hiring, especially Section 48.1 of the General Faculties Council Policy Manual; and the necessity for departments and faculties to formulate and publish action plans so that "when they are called upon by the senior administration--as they are going to be called upon for this--it doesn't take three years of wrangling to get it through."

Another panel member spoke about the philosophical dimensions of equality including the differences between equality of opportunity and equality of outcome or result, which "is by far the most radical notion" where "positive discrimination in favour of disadvantaged groups [is] meant to compensate for significant inequalities of condition in order to ... secure equality of result." Virtually all Canadian universities, she said, including the University of Alberta, have directed whatever actions they have taken at equality of opportunity, not equality of outcome.

This second speaker suggested that targets and goals should be set to match faculty gender ratios with student gender ratios in the same department, and that "targets and goals not reached must not be ignored with impunity. There must be financial penalties."

A third presenter talked about ways to encourage women to pursue graduate studies through financial support programs, part-time study opportunities and scholarship application support.

The final panelist related a specific instance in her department where exceptional recruitment efforts had resulted in the hiring of five women for five academic positions. During her time as Chair of the English Department, she observed, she had become aware of and concerned about the decline in numbers of applicants for academic positions because of competition for candidates, in recent years, with other universities. As a consequence, during the 1989-89 academic year, she embarked on an extensive recruitment program, visiting 17 Canadian universities and, eventually, drawing 252 applications for five available positions in the English Department. In the way of comparison, she pointed out that the year before, there had been 69 applications only, for four available positions.

Part of the extraordinary recruitment effort was also, she said, an attempt to find more women candidates:

> The first two years that I was Chair of the Department, we hired six people: five men and one woman. And I was really in despair because I thought "we finally had our first woman Chair and I can't do anything about this problem." So we thought about what to do. The men were extremely supportive. We had a department meeting on hiring and a motion was made that we make every attempt to recruit good women, but we'd give preference to women if need be--if two candidates are equal that we give preference to the woman--and that motion passed unanimously. There wasn't a single dissenting vote.

As an outcome of the Chair's aggressive recruiting, not only were there significantly more applicants in total but the percentage of women applicants reached 50%. The selection process which followed was "extremely democratic" where anybody in the department could look at the application files and give their remarks and recommendations to the screening committee, "so people were in there poring over them ... and they wrote reams of stuff to the screening committee." This committee then gave their recommendations to the selection committee which developed a short list and carried out the interviews and final selections, again with the input and advice of department members:

> The upshot ... was that the short list of eleven had ten women on it to start with, and the way they got there was they were the best. We didn't give preference. We didn't use the motion--the unanimous motion that we give preference to women if need be--because the women were the best. So we ended up hiring five women. The department was absolutely delighted. The department was completely behind us.

Unfortunately, the October 19, 1989 edition of Folio (University of Alberta, 1989p) reported on this latter AWA meeting presentation in the following way:

> Relating her recruitment experience to AWA members, ... [the former Chair of the English Department] said it was possible to increase the numbers of women on staff. For example, of the five English Department tenurable positions open last year, five were filled by women, she outlined, adding that the male department members were extremely supportive of efforts to

increase the numbers of female department staff members.

The report gave the mistaken impression that the English Department had preferentially hired women; it resulted in the revival of a controversy which had begun in the spring of 1989 among persons outside of the English Department who were critical of this hiring activity. Certain of these persons chose to construe the Folio report as further evidence upon which to justify their renewed accusations of preferential treatment and breach of General Faculties Council policy.

Some of the earlier comments, as expressed in May 8, May 10 and June 15, 1989 letters to the AAS:UA and to University senior administrators, consisted of the following:

> In our "role model" department in the Humanities; my understanding is that of the 18 women and 7 men shortlisted, only women were selected for the five available positions. It may be that each of the successful candidates was the best in her area of specialization; but in the context of the current debate, the perception is that all were appointed on the basis of sex; and it will be difficult for them to prove their individual merit in the face of growing scepticism and almost universal cynicism. The appalling fact is that women of intellectual stature will be tarred with the same brush.
>
> After the recent five female appointments in the Department of English, would it not be more honest, if the University advertised this sexual academic apartheid openly: "Females only"? Such appointments have, of course, no professional credibility.
>
> At the last meeting of the "Merit Only" Group, we heard reports about how departments and even faculties are pressured into appointing female professors, and how, with certain techniques, professors are intimidated and made to acquiesce with these appointments. As far as the Department of English is concerned, we know precisely what professors think of these exclusively female appointments.

Further confirmation of earlier discourse on the English Department's appointments came from the President of the Academic Women's Association in her reproach to Folio (University of Alberta, 1989r) for their less than responsible reporting procedures:

> It is regrettable that on the basis of a two-sentence report of a two-hour meeting, ... [the former Chair] is being subjected to a renewal of the upsetting and wholly unwarranted attacks on her professional integrity that she experienced last spring and summer from a number of ill-informed colleagues.

The resumption of the "attacks" began with a November 2, 1989 letter in Folio

(University of Alberta, 1989q) from five faculty members (elsewhere identified as being members of the "Merit Only" Group):

> Many members of the campus community appear to be unaware that the policy of the General Faculties Council ... prohibits discrimination on the basis of gender and other personal characteristics in the hiring of academic staff. For this reason, we welcome the strong reaffirmation of this policy by new President Paul Davenport.
>
> Disturbing to us was the report of what ... [the] former Chair of the Department of English, told the AWA meeting: that her department increased its representation of women by filling each of five openings ... with female candidates.

Such action, they said, appeared to be in direct violation of the General Faculties Council hiring policy; they called upon President Davenport "to follow up his statement of principle by instructing departments that such violations will not be tolerated."

In the weeks thereafter, several members of the English Department wrote to Folio to emphasize that all the appointments in English were the result of a rigorous and exhaustive recruitment, screening and selection process involving the wide participation of members of the department and where merit rather than gender had been the sole criterion for selection. Attention was directed to the "sexist assumptions" of those who would conclude "that the only way five women could be hired is by giving them special preference" while no such inference would be posited if those selected had been men (University of Alberta, 1989r, 1989s and 1989t). Concern was expressed also about the "insulting ... implication that, in order to hire only women, we engaged people who were somewhat less than qualified" and about the fact that the former Department Chair had been "vilified" (University of Alberta, 1989s and 1989t):

> The allegations depend upon an insidious and equally ridiculous premise that has slithered through the pages of Folio more than a few times in the last year ... that, where both male and female candidates for a job are available, a male will be hired due to merit alone, while a female can be hired only on the basis of sexual discrimination.
>
> The letter concerning "hiring on merit" can be interpreted as misogynous since it equates hiring women with non-meritorious hiring.

Another writer questioned the wisdom of Folio for printing "such a foolish letter" from the five "Merit Only" Group members. It was a letter, he said, which "could only cause gratuitous uncertainty and false inference" and which had "caused needless pain and unhappiness to many in my department" (University of Alberta, 1989t). Another, in the same edition of Folio, pointed out that if merit had been the only hiring consideration over the years:

> Many of our University of Alberta departments would have filled tenure-track faculty positions with fewer white men. As it is, statistical studies show that many individuals have suffered the effects of systemic discrimination.... The letter which appeared in Folio on 2 November is a symptom of the barriers which inhibit many of us from full participation within the University ... and [contributes to] an atmosphere which threatens to make our new female faculty feel both unappreciated and unwelcome.

Of two additional pieces of correspondence in the November 23 Folio (University of Alberta, 1989t), one letter from the five "Merit Only" Group members constituted both an implied threat as well as an attempt to deflect the "blame" for any incertitude regarding the qualifications of new female faculty from themselves to those who would promote or appear to promote preferential hiring:

> The distress felt by our new colleagues in the English Department over this matter is a terribly regrettable thing. And as long as there is any hint of preferential treatment at the University, this unfair suspicion will hang over all women on campus. But it is those who promote preferential treatment, not those who oppose it, who must bear the blame for the pain it inevitably produces.

They asked for persons to join them in opposing "a wave of preferential hiring ... now sweeping across the universities of Canada, pushed by ideologies and federal bureaucrats."

The other letter suggested that it was the English Department's advertisements for the tenurable positions, which contained the phrase "all applicants will be given serious consideration, but the Department is particularly eager to increase its proportion of women, native persons, and members of other cultures," that were responsible for having created an impression that "male graduates of Caucasian ethnicity" were not welcome and which had "promoted the unpalatable impression that 'the only way five women could be hired is by giving them special preference'." The writer thus managed to arrive at the conclusion that because the University had adopted employment equity policies, which were manifested in strategies such as the foregoing advertisement, the English Department Chair and others had "confirmed the suspicions of many that sex is now the decisive factor."

A final letter (University of Alberta, 1989u) in this series of efforts to discredit the English Department's employment practices began with a particularly interesting piece of logic:

> The odds of getting all girls in a family of five are 1:32. I suppose the odds of getting all women in the best applicants for the five positions in the Department of English are about the same--improbable but not incredible. The latter event might not have drawn much attention if the Department of English had not previously decided to make special efforts to hire more women and fewer men.

"There are," the writer continued, "lessons to be learned for the future in this experience with special efforts to hire more women and fewer men." It weakens trust, he suggested, that selection committees "do their honest, unbiased best ... to seek and pick the most academically promising applicants" and that it "creates suspicion ... that there has been discrimination by sex in certain appointments."

It was not until the Equity Advisor and others, concerned about the impact of the University administration's silence in the face of this protracted controversy, spoke to the Vice-President (Academic), that the administration publicly addressed the matter. This response took the form of a prepared statement by University President Paul Davenport to the General Faculties Council (University of Alberta, 1989v) on November 27, 1989, which affirmed the legitimacy of the English Department's hiring procedures and welcomed the five new members of that department to the University:

> Members of GFC will recall that on 22 September Folio published a letter from me ... which dealt ... with our approach to the hiring and employment of both academic and nonacademic staff. The letter set out four principles: non-discriminatory employment practices; hiring and promotion policies based only on qualifications; an aggressive policy of seeking applications from under-represented groups; and a fair structure of job classification and pay.

> In light of recent debate in Folio, I think it is vital to underline the third of these principles, with regard to academic hiring and female staff: we at the University of Alberta are committed to an aggressive policy of seeking female candidates for positions in academic units where females are significantly under-represented. At the same time, we assure all applicants that the best qualified applicant will be offered the job. This policy is supported by all of our senior academic administration, including the President, the Vice-Presidents, and the Deans.
>
> On a personal note, I should like to congratulate the former Chair of the English Department for her efforts to seek out female candidates for positions in that department. Those selected for the positions were chosen solely on the basis of their academic qualifications, and I welcome them warmly to the University.

From the perspective of the former Chair of the English Department herself, however, this statement amounted to a case of too little, too late. In a March 27, 1990 submission to the President's Commission for Equality and Respect on Campus, she drew attention to the "appalling" levels of sexism which had emerged on campus over the past 18 months using, as one of her examples, the English Department's 1989 staffing experience. She spoke of the private letter-writing campaign to senior administrators including the Vice-President (Academic) which had occurred behind her back and where some of the correspondence, she had learned later, was "extremely scurrilous."

Regarding the letters in Folio during the fall of 1989 by "a group of people pretending to be interested in 'merit' but (I believe) really interested in keeping women professors out of the university," the former Chair observed that "a good deal of the misinformation ... could have been forestalled by a firm letter from Central Administration." Having been assured by the Equity Advisor and the University Secretariat that the English Department's advertising had been discharged in accordance with General Faculties Council policies, she told the Commission that she had approached the Vice-President (Academic):

> He agreed that our whole advertising and hiring process had been conducted by the rules and in a completely fair fashion. I asked him if he would please convey these facts to Folio, and use the opportunity to remind the university community of the GFC Policy Manual's provisions for recruiting under-represented minority groups. He said he would write to Folio. He never did.

In her submission, she raised the salient question that, having observed the lack of support she received and the absence of action on the part of the University, "what Department Chair on the campus will now dare make active efforts to attract female applicants? Is this," she asked, "the University's idea of helping to promote gender equality in its professorial ranks?"

Her complete disillusionment clear at the end of her presentation, she wrote:

> In the Fall of 1988 I visited seventeen Canadian universities ... telling prospective staff and students that the University of Alberta was a good place to work and study, a university with innovative and progressive ideas, a cosmopolitan, tolerant staff and student body. I wouldn't go on such a trip again ... and I wouldn't say those things to prospective staff and students again: I don't believe them anymore.

The five professors who had been hired by the English Department made their own submission to the President's Commission for Equality and Respect on Campus, which began with the statements below:

> Recent debate about "equality of opportunity" in hiring centred around the misreporting of our former Chair's recruiting efforts for five positions in the English Department. Those five positions were filled by us, and we make this submission to the Commission on Equality and Respect on Campus in an effort to convey to the Commission both our collective and individual feelings of harassment and public abuse during that "debate."

They said that while the debate had been presented in a way which suggested that a "philosophical issue was being explored," their personal experience was one of "individual and collective devaluation." Their purpose in presenting to the Commission, they indicated, was "to impress upon the Commission the very real pain that an atmosphere of misogyny and malicious innuendo causes," and that, whether or not the debate on equal opportunity in hiring was ever resolved, their careers and their relations with colleagues and students had been "irrevocably altered by a debate in which we have been effectively silenced."

President's Commission for Equality and Respect on Campus

According to the Report of the President's Commission for Equality and Respect on Campus (University of Alberta, 1990a), President Paul Davenport established the

Commission in December, 1989 as a response to the circumstances which led to a complaint being made against a publication of the Engineering Students' Society called The Bridge. Although the initial mandate of the Commission was to provide a forum for members of the University community to consider ways to contend against sexism and other forms of discrimination, this mandate was later broadened to include an "investigation of circumstances which contribute to the erosion of equality and respect on campus" (pp. iii and 1).

The mandate of the Commission was to discover the existing perceptions of University members (students, academic staff, support staff and administrators) about the "current situation and conditions contributing to inequality and lack of respect" among people, and to identify strategies and make recommendations for strategies which would create and maintain an environment "which reflects the best values of equality and respect."

The findings of the Commission and its recommendations are described fully in the Report of the President's Commission. On the specific matter of employment equity however, the Commission observed (pp. 7-8) that:

> A number of people ... saw an apparent lack of commitment on the part of the University community, and in particular, the University administration, to the achievement of equity for women. It was also suggested that this apparent lack of commitment to equity extended to other disadvantaged groups.
>
> A large number of submissions dealt with the issue of systemic discrimination ... [including] the structures and attitudes currently existing in the University which make it more difficult for women, and other disadvantaged groups, to achieve equal opportunity and participation within our community.

The specific recommendations of the Commission regarding employment equity will be reviewed in a succeeding chapter.

One of the significant outcomes of the Commission's process however, was the emergence of a clearer picture of the degree to which views at the University of Alberta regarding issues of human rights and equality were polarized.

After having attended the majority of the Commission's public hearings, Equity Advisor Doris Badir wrote to the Commission on April 17, 1990 to express her alarm over what had taken place during the hearings:

> I have been appalled at the degree of polarization which appears to exist on the campus. People do not appear to be hearing what is being said. They turn out to hear their own ideas expounded but turn a deaf ear to the ideas of others. While many people advocated the need for more open debate and discussion, I heard little to suggest that this would be at all fruitful.

In an article in the February, 1991 Academic Women's Association (1991) newsletter, called AWA News, the Chair of the President's Commission, Dr. Dianne Kieren, also commented, albeit in a less direct fashion, on this polarization.

> What did we learn from the process?... First, our community is a wealth of views and opinions.... The process provided clear examples of the diversity of opinion on so many aspects of the issues of equality and respect. Listening to the participants and trying to understand their perspectives made it evident that the views on these matters span the whole range of the continuum.

A particular illustration of this polarization of opinion came to light, ironically, during the preparation and approval process concerning a brief to the President's Commission which never (officially) did reach its intended destination.

The AAS:UA Brief to the President's Commission for Equality and Respect on Campus

Once the procedures for the President's Commission for Equality and Respect on Campus were established, the Association of Academic Staff (AAS:UA) along with other groups on campus was invited to respond to the Commission.

The Association Executive accepted a suggestion from its Women's Issues Committee that the Committee prepare a brief for consideration by the Executive and Council as a potential AAS:UA submission to the President's Commission. A draft document was written by the Women's Issues Committee and sent forward to the

Executive. On March 6, 1990, the Executive endorsed it in principle and transmitted it to the Council. However, according to an AAS:UA representative, there were three major types of concerns expressed about the brief during a March 13 Council meeting. A first concern had to do with language and style; a second was that the document went beyond commentary and made explicit recommendations, and some Council members were concerned about the implications of certain of these specific recommendations. Finally, others took the position that the document ought not to go forward at all because philosophically it "ran contrary to the ideals of the academy as they perceived them."

Minutes of the March 13, 1990 AAS:UA Council meeting reveal that "extensive discussion about the views expressed in the document" did take place, and that language and wording issues were raised. There was controversy also about some of the specific recommendations. For instance, regarding one in support of the establishment an employment equity plan, the March 13 minutes read:

> Council thought this wording had connotations other than what was intended and the principle would be misunderstood. Appointment on other than merit will not generate respect for female faculty. Suggestions ranged from deleting it entirely to rewording.

Following the Council meeting, the paper was returned to the Women's Issues Committee; revisions were made taking into account the Council's debate and the document went back to the Executive.

However, minutes of a subsequent March 20 Executive meeting make reference to a letter sent to all other members of Council from a professor who sat on AAS:UA Council as an alternate. "The opinions expressed in the letter," the minutes read, "represent the negative reaction that some male staff will have to the brief." It was apparent that at least one Council member was strongly opposed to the brief. Further evidence of dissent is disclosed in the minutes of an April 3, 1990 AAS:UA Executive meeting:

> [The AAS:UA President] reported that he had received two letters suggesting that the submission should be discussed by the membership. In reply, ... [the President] reminded the writers that under the AAS:UA

bylaws, members may petition for a special meeting.

Notwithstanding these signs of resistance, the Executive passed a motion, on April 3, that the draft document be referred to a special meeting of Council, to held on April 5, 1990, for the purpose of obtaining approval for its submission to the President's Commission.

Much of the second major debate on the document, which took place at the April 5 special meeting, centred on the recommendations themselves (Table 6.1) and their meanings. April 5 meeting minutes report that several Council members spoke in favour of the brief noting, for example, that this gave "the Association an opportunity ... to show leadership in promoting equality." Those in support expressed the following kinds of convictions:

> The brief was in the spirit of the Charter and was an appropriate statement for the AAS:UA.
>
> Discrimination and disadvantage exist but they are often difficult to detect.
>
> Female academics can play an important mentoring role.
>
> It was important for the Association to take a leadership role and forward the brief.
>
> [A professor] said he was satisfied with the revised document and that he had received little reaction to it from his colleagues. He acknowledged that it was difficult to achieve consensus but the document did not preclude other points of view. The committee should be permitted to present a powerful statement, not diluted by any further changes.

Those opposed, or of the belief that "the AAS:UA should not submit the brief" gave voice to the following opinions:

> On the basis of discussions with his colleagues, he could not recommend that the brief go forward.... A formal equity plan would be perceived as hiring for reasons other than merit, to the detriment of all women academics.
>
> There is not the widespread discrimination against women academics that the brief asserts. A legislated program that will require equal numbers of men and women will not work.
>
> [The brief] was not unanimously supported by his colleagues in Science.

> The brief presents a biased position.
>
> Feminism is a political view not a form of scholarship.
>
> In his view, equality of result ... should specify "all other things being equal" since affirmative action can result in reverse discrimination.

According to an AAS:UA representative, a portion of the second debate also focused on the question of whether or not the brief constituted a policy document:

> When [the Association] sends forward a document to a commission, what is the meaning of sending forward the document? Are we endorsing policy? Is the Association now saying ... that these are principles that we adhere to? How does the Association establish policy?

Despite the arguments of Council members who were antithetical to the brief, an April 5 motion "that the AAS:UA Council endorse the brief to the President's Commission for Equality and Respect, subject to editorial changes," was passed by a substantial majority vote of 19 to 7. Interestingly, a previous motion, "that the Council decline the opportunity to respond to the Commission and encourage individual members to respond," was defeated by a 6 to 21 vote.

The outcome, after "seven or eight versions" in all, was that the brief apparently was ready for submission to the President's Commission. "By the time it was done," said a member of the Women's Issues Committee, "it was a very carefully stated document. It was extremely moderate.... and I thought it was a really good document to be coming from the AAS:UA because it took a pretty even line."

Meanwhile, however, certain of the Council members who were opposed philosophically to the substance of the brief or who were concerned about whether, in submitting the brief, the Association was setting policy for itself, gathered support from among some of their colleagues outside of Council to try to prevent the brief from going forward. As reported by an AAS:UA representative, "notwithstanding the

Table 6.1

Highlights of the Recommendations in the Brief of the Association of Academic Staff: University of Alberta to the President's Commission for Equality and Respect

(Note - brief never officially submitted)

Recommendation 1: Awareness Campaign

We urge first and foremost that the University of Alberta undertake an awareness campaign to explain to all members of the university community what gender-based discrimination, or sexism, is and the harm it does to the development and maintenance of trusting relations between men and women.

Recommendation 2: Equity Plan

Specifically, we recommend that the university proceed quickly toward the development of an employment equity plan for academic staff, using the expertise of recognized professionals in the field and employing full consultation with departments and faculties. Such a plan must define goals and coordinate efforts to achieve equality of result.

Recommendation 3: Expanding the Pool of Applicants

An equity plan cannot be effective if the pool of qualified applicants is insufficient to achieve significant results. We recommend that the university co-operate with school and Department of Education authorities who are already active in the design and implementation of non-sexist curricula.

However, expanding the pool of female applicants ... is a more complex task which calls for the identification of the barriers to full participation by women. Cooperation among educators at elementary, secondary and post-secondary levels is essential. A joint AAS:UA/administration committee would be useful in addressing this type of outreach.

Recommendation 4: Equity Officer and Selection Committees

Essential to the development of an equity plan is ... an equity office with sufficient resources and authority. Until a full plan emerges we recommend that the Equity Officer design workshops for selection committee to assist them in avoiding unperceived bias. In addition, the Equity Officer could be enabled to sit as a non-voting member on selection committees, not only for the purpose of advising the process, but also to gather information for the enhancement and development of equitable policies and procedures.

Recommendation 5: Removal of Systemic Barriers

Other measure ... will have an impact on this university's attractiveness to prospective academic staff.... Women and increasing number so men now look for well-developed programs and facilities related to child care, to leave for the purpose of family responsibilities, and to flexibility in the design of academic appointments.

A proposal for the improvement of our childbirth/parental leave programs has been developed by the women's Issues Committee and endorsed by AAS:UA Council. This deserves prompt attention and support by the university community.

Flexible work patterns have been established to a limited degree within the university, but few staff seem aware of the possibilities. Various precedents have been set including split positions, part-time continuing appointments, [and] negotiated variations between part-time and full-time [appointments]. Publicizing flexible work patterns (as recommended in the 1987 Senate review) would allow more individuals to take advantage of the possibilities and would also help to establish their legitimacy in the context of evaluation.

Attitudes toward family commitments in particular must also change.... There must be scrutiny of the fundamentals of each evaluative process as they are developed in collective agreements and as they are applied in peer review for tenure, salary and promotion.

Recommendation 6: Feminist Scholarship

We recommend the promotion of normal unbiased assessment of feminist scholarship as for any other new approach to academic inquiry.

President of the day's assertion that it wasn't a policy document," the result was that two petitions, with a total of about 75 signatures, were received by the AAS:UA Executive asking for a special general meeting as provided for in the bylaws. The two petitions read as follows:

> We the undersigned request the convening of special general meeting of the ... [AAS:UA] for the purpose of requiring a referendum to determine if the brief to the President's Commission ... approved by AAS:UA Council on April 5 shall become the policy of the Association. We expect as a matter of good faith that this brief will not be submitted to the President's Commission prior to a special general meeting being held;

and,

> We, the undersigned, would like the AAS:UA to call a special general meeting (in accordance with article 3.4.2. of the by-laws) to debate the brief to the "President's Commission ..." as recently endorsed by AAS:UA Council. Members should have an opportunity to ratify this decision or to reject it.

Of the 75 persons who signed, there were 28 from the Department of Mathematics, 20 from the Faculty of Engineering, 18 from the Department of Economics and 19 from other departments. Among the signatories were 70 men and 3 women (and two unidentified), some of whom were known to be members of the "Merit Only" Group.

Minutes of an April 19, 1990 AAS:UA Council meeting noted the receipt of the petitions and indicated that a notice for a special general meeting on April 26 had been sent to all AAS:UA members, along with copies of the relevant sections of the bylaws, the brief itself, and information on the Federal Contractors Program.

The fact that a special general meeting had to be called meant that the brief could not be approved before the President's Commission's submission deadline had passed.

The special meeting, "the best attended general meeting we've had, perhaps ever," was held in a Tory "turtle" lecture theatre which was filled almost to capacity. The persons who had petitioned for the special meeting asked that, rather than there being a debate on the brief itself, the meeting focus on reaching a decision on whether or not the brief should be referred for referendum to all AAS:UA members. Their rationale was that since this was, in their view, a policy document, therefore it should be advanced to the membership as a whole for ratification or rejection. AAS:UA officials, on the other hand, maintained that the brief was not a policy document and reiterated this position at the special meeting:

> I mean, a brief and a policy are not the same thing and it wasn't written like a policy, it was written like a brief. So it was a red herring that ... they were using to try to invoke an aura of legitimacy.

However, in a fall 1990 interview, a former President of the AAS:UA presented a different interpretation. Responding to a question on whether the AAS:UA had a policy on employment equity, he referred to the recommendations of the AAS:UA brief intended for the President's Commission:

> They *de facto* set out a policy for AAS:UA by a procedure that was not intended to produce such.... The thing that got most people upset was that here we were coming forward with a policy document when we hadn't really considered it.

The April 26, 1990 special general meeting was difficult to chair, apparently, because although people wanted to debate the document, attempts were made to restrict the discussion to the question of "shall we refer for referendum"? "Now some people wanted to call names too," an AAS:UA representative observed, "but the majority of people sincerely wanted to debate the document."

A different outlook on the meeting was provided by a department Chair who also was in attendance:

> It struck me as a wild debate in that both ... parties to the debate really exaggerated or altered their position under pressure. One group, the sort of "merit only" chauvinistic viewpoint claimed that they were not motivated by any political concerns or any deep concern about employment equity. The Staff Association people, who I think truly got caught out on this one, said they weren't really serious about advancing this as a proposal.... I just remember how zoo-like it was .... and it just revealed the depths of opinion. People were screaming at each other ... "sit down" and "shut up" and people were cheering.... Anyway, a very split room.

Another person, an AAS:UA Executive member at the time of the special meeting, commented on the particular objections raised by some professors about the recommendation for an employment equity plan:

> The discussion at the meeting ... was at the stage where people said "well, if you plan anything, you are directing, you are intervening, you are coercing." The word "plan"--equity, everybody's in favour of equity, but nobody wants to plan. You could just see people's body language ... wound into rigid postures at the word "plan" or the suggestion that there had to be a method or that there had to be goals and timetables.

A fourth person, also a former AAS:UA Executive member, concluded that the actions of those who wished to stymie the brief actually worked to the advantage of those who favoured its positions:

> The people who sent the petitions actually miscalculated rather grossly because ... now we had this extremely carefully worded brief, that walked a very narrow line, being distributed all across campus.... Once we called the general meeting ... there were a number of people going "what's the matter with this? What kind of turkeys are they that they think there is something wrong with this? This is awfully moderate."

This same interviewee indicated that those attempting to prevent the acceptance of the brief at the special general meeting further impaired their cause. Referring to one speaker in particular, the person commented:

> And his rhetoric just went, and he wasn't the only one. A number of them did and, I mean, they just looked like such fools. They said absolutely ridiculous things and just went so far that people who, before, probably would have been willing to listen to some of their arguments, just tuned them right out and felt that they were an embarrassment as colleagues.

The net result of the April 26 special meeting was that the motion to refer the document for referendum was defeated by a majority, it was estimated, of approximately 75 votes. This meant that the AAS:UA Council's original decision to endorse the brief was upheld. In the meantime, however, the President's Commission's deadline "had come and gone, and therefore the document never did reach its intended target."

A past AAS:UA President, who also remarked on the "incredibly fractious debate within the AAS:UA" over the brief, said that after the special meeting, one of the petitioners told him that "they had achieved the result they wanted. The vote didn't matter at the meeting. What was important was that the brief did not go to the Commission." But another previous AAS:UA Executive member, with a very different view of the outcome, commented on the importance of the meeting as an exercise in educating academic staff about employment equity:

> And it wasn't planned, this is the thing. It came up because of the President's Commission.... Within four weeks something dramatic has happened in terms of developing policy for the Association. You see, the Association has no policy, no statement of policy on where it sits on employment equity. Suddenly, it has one ... until and unless it is overturned by a general meeting.

The "Demonstrably Better" Clause

Mentioned at an April 3, 1991 meeting of the Academic Women's Association and confirmed shortly thereafter by an Associate Vice-President during an interview, was that Deans' Council had sometime earlier endorsed one of the key recommendations of the President's Commission for Equality and Respect on Campus. The recommendation accepted by Deans' Council was recommendation 2.1.5 of the President's Commission (University of Alberta, 1990a, p. 26), regarding the development of policy on selection and hiring procedures, as follows:

> In the context of the goals for each faculty, department or school established in 2.1.3, the policy developed to implement such goals should reflect the principle that qualified disadvantaged group members should be hired unless there is a candidate who is demonstrably better qualified for the position.

According to the Associate Vice-President, one of the members of the President's Commission had been assigned responsibility for developing a draft policy statement in light of Deans' Council's approval that the University proceed with the "demonstrably better" recommendation. The draft was to be submitted first to the Executive of General Faculties Council and, eventually, would go before General Faculties Council as a whole for debate.

The Associate Vice-President acknowledged, nevertheless, that there were persons on campus who were "fearful of this 'demonstrably better'" clause because they believed it meant "hiring people who are not qualified." This, she emphasized, represented a serious misunderstanding of the recommendation. Instead, the intent of the recommendation was that selection committees should continue to short-list only those candidates who were meritorious but that once the top candidates were identified, then the "demonstrably better" clause would be applied:

> We don't want to hire anyone who is not meritorious because what's the point of it? This will be damaging to the person as well as to the University. But once you have a line on who is meritorious ... that's when you apply the "demonstrably better" clause.

Notwithstanding the intent of the President's Commission recommendation, however, certain faculty members on campus drew up and circulated a petition during the spring of 1991 in protest against the position taken by the President's Commission and Deans' Council. The petition, which was named "The Petition to Uphold University Hiring Regulations" (Appendix I) pointed to sections in the General Faculties Council Policy Manual on employment practices, which state that individuals will be considered without regard to a number of specified characteristics, including gender, race and physical ability, and which indicate that after special efforts have been made to attract underrepresented groups into the pool of applicants, "employment decisions shall be made on the basis of merit." The President's Commission for Equality and Respect, the petitioners claimed, was attempting to replace this policy with one allowing for preferential hiring. The petition criticized the Department of Religious Studies' plans to use gender as a hiring criterion as well as the Dean of Arts for endorsing the policy of "hiring members of under-represented groups 'unless there is a candidate who is demonstrably better qualified'." According to the petition:

> [The Dean of Arts] has presented that policy to all departments in Arts as an acceptable option, asking them to "identify appropriate goals" in the hiring of members of certain groups, instead of informing them that it is a violation of GFC regulations.

The petition concluded with the directives that:

> It is the duty of the President of this university to enforce the regulations that govern it. Indeed, he has already assured GFC that he will allow no ... [President's Commission for Equality and Respect] recommendations falling within its jurisdiction to be implemented unless adopted by GFC. We call on

> him to direct the Dean of Arts to advise all her departments in writing that preferential hiring plans are in violation of GFC regulations.

The petition was sent to University President Paul Davenport on April 3, 1991. The Edmonton Journal, in a series of articles on this action, reported that a group of 137 professors at the University of Alberta had signed a petition "complaining that several departments are violating regulations by hiring on the basis of gender" (Panzeri, 1991, May 29). Certain professors who had signed the petition were quoted as saying that "such a policy discriminates against male candidates and undermines what women have been striving for" and that "to progress at someone else's expense is very hypocritical," even "blatantly dishonest." Another was reported to have said, "as a large institution, there's no evidence there's been a large systematic discrimination against women. There are no figures, and no statistics. It's a big lie" (Panzeri, 1991, May 30).

Other petitioners suggested that some professors on campus, fearing retaliation for expressing unpopular opinions, did not sign the petition out of concern for their careers. One was quoted as saying "there is more intimidation on campus than I've ever seen before.... You either be politically correct or stay away from controversial questions" (Panzeri, 1991, May 31). Another proclaimed:

> The climate of fear is there; I don't think anyone would deny that.... I can't think of anything that would constitute a threat. It's just the atmosphere.... I don't think it's any different from what is happening across the continent; the notion of political correctness, where people are afraid to speak out. (Panzeri, 1991, May 31)

However, the Chair of the Department of Religious Studies, whose policies were criticized in the petition, observed that with a department of 12 male and one female academic staff members, "his policy will be to hire the female if both candidates are equally qualified." He was reported to have said:

> If you want to ask why they signed the petition, its beyond me.... This all seemed to me to [be] a clear, non-threatening way to show leadership, to create a friendly environment, and to do justice to those who always haven't been done justice. I can't understand the fuss. We don't have one woman on tenure track ... and more than half of our students are women--

that's ludicrous. (Panzeri, 1991, May 29)

Both the Chair of Religious Studies and the Dean of Arts emphasized that merit continued to be the basis on which people were hired and that policies which assisted members of disadvantaged groups were not in contravention of General Faculties Council policies. The Chair of Religious Studies confirmed that "our policy doesn't throw merit out.... It allows us to respect the essence of the GFC policy" (Panzeri, 1991, May 29). Likewise, the Dean of Arts was reported as saying:

> We believe the candidates we've hired to be the best and I challenge anyone to say otherwise. We have hired some spectacular new scholars. I can't understand what the fuss is about. It's quite clear there has been no violation of GFC policy. We hire on merit and we must not be driven off that high ground by suggestions that we are hiring for other reasons. (Panzeri, 1991, May 30)

To the charges that some professors were reluctant to register complaints about the hiring practices of certain departments because of fear of reprisals, Dean of Arts Patricia Clements was quoted as countering that "there's nothing to suggest that anyone has anything to fear for speaking freely" (Panzeri, 1991, June 1).

In a May 6, 1991 response to the petitioners (Appendix J), Vice-President (Academic) Peter Meekison stated in clear and unequivocal terms that "I do not believe that the Dean of Arts or the Chair of Religious Studies have acted contrary to University policy, nor do I believe that these actions have ignored the important merit principle for the selection of academic faculty."

He explained in his letter that while Section 48.1 of the General Faculties Council Policy Manual contains the principle that employment shall be based on merit (Section 48.1.1), it also holds the principle, added afterward as an amendment, that the University is committed to the amelioration of conditions of disadvantage among individuals and groups within the system (Section 48.1.6). "To me," the Vice-President (Academic) wrote, "the question becomes, what was the legislative intent of GFC when it approved the amendment"? In his view, although the principle to ameliorate disadvantage does not override any of the other employment principles, it is intended to create a context in which the other five are exercised, "or else there would have been no reason for GFC to have agreed to its insertion."

The Vice-President (Academic) pointed out that inasmuch as "the merit principle is the theme that flows through section 48," the section also enables the "enlarging of the pool of eligibles from disadvantaged groups and [the adoption of] the principle that qualified ... members of disadvantaged groups be hired unless there is a candidate who is demonstrably better qualified for the position." Indicating that he did not see this as a deviation from GFC policy, he advised:

> What has been stated is that when candidates are essentially equal ... then selection committees are encouraged to recommend the female candidate or one from any other of the underrepresented groups. I do not see this as encouraging deviation from GFC policy but rather, the reverse, i.e., a statement which allows principle number 6, to be fulfilled.... [When selection committees] are confronted with making a choice between two equal candidates, then to me, principle #6 is there to assist them in making that choice.

The Edmonton Journal (Panzeri, 1991, June 1) reported the Vice-President (Academic) as saying that "a policy review is possible to quell complaints of hiring on the basis of gender but ... that such a review is not scheduled or planned." He indicated also that it was unlikely "that a policy could be devised which would please everyone."

CHAPTER 7

GOVERNANCE

In order to study the policy implementation process within an organization, the organizational structure and decision making procedures need to be examined for the purpose of identifying the loci of authority, determining what positions or administrative bodies are responsible for what decisions and gaining insights into the flow of decision making and the mechanisms by which decisions are reached. Particularly for complex organizations such as universities, an investigation of structure and governance can contribute significantly to the understanding of policy implementation within these organizations.

Information on how the University of Alberta is governed, including the roles and authority of various administrative bodies and positions and the policies and regulations which guide its operation, is provided in several documents. Among these are the Universities Act (1990), the General Faculties Council Policy Manual (General Faculties Council, 1990), the Manual of Administrative Policies, Procedures and Services (Governors of the University of Alberta, 1990a) and the Board/AAS:UA Faculty Agreement (University of Alberta, 1988g). The principal governing bodies of the University of Alberta are the Governors of the University of Alberta, more commonly referred to as the Board of Governors, and the General Faculties Council.

Legal Framework for Academic Staff Employment Policies

According to the Universities Act (1990), the governors of a university in Alberta have ultimate responsibility for the management of that university, encompassing both the appointment of officers and employees and, through negotiations with associations representing the employees, the establishment of terms and conditions of employment:

> 17(1) Except as otherwise provided in the Act, a board has the management and control of the university and of its property, revenue, business and affairs.
>
> 21.1(2) The board may employ any persons it considers necessary to serve as academic staff members at the university.
>
> 21.5(1) Where an [academic staff] agreement ... expires or is to be amended, the board and the academic staff association of the university shall enter into negotiations for the purpose of concluding an agreement.
>
> 37(1) Subject to the authority of the board, a general faculties council is responsible for the academic affairs of the university.

An information sheet describing the responsibilities and authority of the Board of Governors, produced by the Board, states that:

> The Board of Governors is a corporation with the name "The Governors of the University of Alberta".... The conduct, management, and control of the University and all its property, revenue, business, and affairs are vested in the Board. The Board appoints the deans of all faculties, all members of the teaching staff, the Librarian, the Registrar, and all members of the administrative staff.... When any question arises as to the powers or duties of the Senate or any other University body or of the ... President or a Dean or other officer or employee, and these powers and duties are not definitely provided for in The Universities Act, the Board's decision on the question is final.

Another Board document, entitled An Organizational Chart and Notes on the University of Alberta (Governors of the University of Alberta, 1990b), discloses that "as part of the bicameral governing structure of the University, a General Faculties Council has been established as one of the two main decision-making arms" of the University. The General Faculties Council's role in the formulation of policies and procedures for the recruitment, selection and promotion of academic staff members is prescribed by the Universities Act (1990) which requires that "for each university, there shall be a general faculties council" (S. 35) that, "subject to the authority of the board," is empowered to "make recommendations to the board with respect to ... procedures in respect of appointments, promotions, salaries, tenure and dismissals" (S. 37(1)(o)).

Although Section 21.1(4) of the Act stipulates that:

> A person shall not be appointed to, promoted to or dismissed from any

> position on the academic staff at a university except on the recommendation of the president made in accordance with procedures approved by the general faculties council,

other sections of the Act specify that employment policies developed by General Faculties Council (GFC) are subject to the approval of the Board. This suggests that although GFC has a major role in the development of employment procedures, the Board retains ultimate authority and responsibility for their approval and implementation.

Therefore, given the legal and procedural responsibilities of the Board of Governors and General Faculties Council for appointment, promotion and other policies, it appears that both of these bodies would have to be involved in any commitment of the University to implement employment equity policies including those required under the Federal Contractors Program. Especially, it seems that an agreement on the part of the Board to comply with the federal program would lend considerable authority to any efforts to implement the policy within the University.

These points were corroborated by the comments of former Equity Advisor Professor Badir who, when asked about the "chain of command" at the University and the authority of the Board to make and enforce employment policy decisions, surmised that the Board's authority in this area would be the same as that regarding the budget "and that is that the Board of Governors ultimately makes the decision and that's their business." She continued that "it is the Board of Governors that makes employer decisions or puts their seal of approval on the employment decisions.... Therefore, once the Board of Governors has made a decision that affects the ways Faculties operate, Faculties better step in line."

Likewise, an official of the Board described the Board as responsible for the total management of the University "from both the business and the academic sides." And, although a tremendous amount of the responsibility and authority is delegated to the administration which "runs the place on a day to day basis," one of the responsibilities of the administration "is to bring to the Board's attention what they feel should be brought to the Board's attention." Further, a body such as General Faculties Council has delegated responsibility "for all academic matters" but, "if it came down to a crunch, the Board has the final say."

To questions concerning the role the Board in relation to the Federal Contractors Program and whether the Board would have to approve such a program, a former AAS:UA Executive member replied:

> Yes, it would have to be approved by the Board of Governors. My recollection of the Universities Act is that the employment policies are approved by the Board of Governors upon the advice of General Faculties Council.

An Associate Vice-President held a different view, however, suggesting that "I just don't think it has to go to the Board." "The Board," he said, "has certain policy statements about non-discrimination and so on and this is just ... a way in which we are implementing the Board's general philosophy and policy."

All indications were that, as of the spring of 1991, neither the Board of Governors nor General Faculties Council had been requested to make any formal decisions regarding the federal program. Professor Badir, asked if the program had been taken to the Board for consideration, responded, "not that I know of." She added that if it had gone to the Board, it would have been the President who would have taken it "and it would have gone as a decision of the executive--President and Vice-Presidents." A Board official, to the same question, responded, "not in that way."

Former President Myer Horowitz recalled that while he may have reported to the Board about the Federal Contractors Program as an administrative item, "they weren't involved in any active fashion at all." He said, "I'm absolutely convinced I did not put the matter before the Board for decision; absolutely convinced." Asked why he did not seek a Board position on the policy given the magnitude of its implications for the University, he replied that "there were a lot of other important matters that touched this University between 1979 and 1989 that the Board didn't deal with either." He revealed that the style and understanding which developed between himself and the Board, as to what would go to the Board and what would not, was such that he "had a lot of authority of acting in the Board's name on all kinds of matters. This [federal program] was only one of them."

Minutes of the non-confidential portions of Board of Governors meetings from March, 1987 to September, 1991 make no mention of the Federal Contractors Program per se, although there are brief references to certain changes in General Faculties Council policies relative to employment equity. A former AAS:UA Executive member advised that while "the implications of the Federal Contractors Program have been discussed" by the Board, "certainly there has not been a flurry of activity ... [to] get the plan developed. This was the case, he said, because "frankly ... the University never intended to comply."

Finally, to a specific question on "whether the Federal Contractors Program is being discussed with the Board," President Paul Davenport replied, in the fall of 1991, that:

> The Board is certainly aware of the issue of employment equity. It has been raised at at least two different Board meetings in my two years here. Indeed, I wrote a letter to the Board last year explaining our approach to employment equity ... our commitment to employment equity.... So that the Board is certainly aware of the issue and the Board has a representative on our Employment Equity Implementation Committee.

A representative of the Office of Human Rights, however, pointed out some of the difficulties arising from the lack of direct involvement and commitment on the part of the Board of Governors:

> Some universities have ... had a Board of Governors which have simply said this, "we are not going to lose ... millions of dollars of research grants. We are in the Federal Contractors Program and we are going to make it work." That hasn't happened here. I mean, we have a real issue because it didn't happen and because it is still thought ... [of] as a debatable point by the whole community.
>
> We have some real problems. Employment equity, if it going to succeed, has to be supported by the corporation, that is, the University. The corporation that is the University is, in one sense, all of its people but in another sense ... it is the Board of Governors.... The one thing that is required ... is to truly establish that, corporately, this institution is committed to the Federal Contractors Program. And it is not clear to me right now that that has occurred.

On the matter of General Faculties Council's association with the contract compliance program, former President Myer Horowitz acknowledged that the program had not been brought to the Council for discussion or decision. Regarding this circumstance, he said:

> My best recollection is that it was a very conscious decision on my part because I was absolutely adamant. It was one thing signing the document but I was absolutely adamant that the federal government would not dictate to the University what kind of policy the University should have. I was prepared to sign it as long as it was in harmony with what we were doing through GFC and other ways.... I may have been fooling myself. That I would have preferred that we move more rapidly is just to say the obvious.... But having said that, I felt good that we were moving in the right direction.

Professor Badir concurred that the federal program had not been taken to General Faculties Council for decision, the issue of signing having been dealt with instead solely by the President's and Vice-Presidents' Committee. The reason she put forward for this having occurred, however, differed from that given by Dr. Horowitz. She suggested that it was "not appropriate" for GFC to make such a decision: "a decision like signing that document would never go to GFC.... It might have been taken to the Board of Governors but it would never have been taken to GFC." Further, she said that while Section 48 of the General Faculties Council Policy Manual sets out hiring policies, "the responsibility for carrying out those hiring policies and the final authority in making the decisions about hiring policies rests with the Deans."

Other reasons for the Federal Contractors Program not being brought to General Faculties Council were offered by an Associate Vice-President:

> The President at the time signed the statement.... I think it was done administratively; I don't think it was done ... by going to GFC or the Board or Dean's Council or anything like that.... GFC ... has a role to play I suppose in employment things but not--if you look at the Universities Act, it's advisory only. It doesn't really have much power.... It's a very political body ... running pretty far from the model that I think was established for GFC in the first place.... The Act has a funny sort of preamble to the powers of GFC. It says "subject to the authority of the Board." We don't really know what that means; it's never really been tested;

also by a former AAS:UA Executive member:

> The focus of the previous President was on equity within the non-academic staff and, secondly, the debate around the present GFC policy was horrendous ... a lot of angry debate about it. The current policy was thrashed out as a compromise and, I think, psychologically ... nobody wanted to renew that debate.

General Faculties Council

General Faculties Council, as mandated under the Universities Act (1990), has a major responsibility for managing the academic affairs of the University. However, although the legislation stipulates that General Faculties Council procedures must be followed in matters of academic hiring and promotion, it also indicates that the Board has ultimate authority over the development and approval of any employment policies affecting academic staff. Therefore, despite and because of what appears to be embodied in statute, questions remain as to the role, responsibilities and authority of GFC in relation to the Federal Contractors Program.

Over the past fifteen years or so, General Faculties Council has taken a number of steps towards addressing issues of equality in employment as they relate to the academic staff.

In an 1979 update report to the University Senate (interdepartmental correspondence), former Associate Vice-President (Academic) Jean Lauber made reference to new policies on sex discrimination and equal opportunity in the General Faculties Council Policy Manual observing that:

> As to internal procedures, General Faculties Council Policy Manual now has an employment policies section.... The Board of Governors has endorsed these provisions, and made some of them applicable to non-academic staff as well. There is however no monitoring system built into this policy statement.

This update was intended to provide an account of what had transpired over four years in relation to the recommendations of the 1975 Senate Task Force on the Status of

Women, including that for a University policy statement against sex discrimination.

In reference to recommendations for a review on the status and numbers of women in all faculties, Dr. Lauber reported that "the Equal Opportunities Committee was, in part, set up as a result of this recommendation ... although that committee has not seen itself as mandated to conduct the recommended study."

Some of the policies to which Dr. Lauber referred were introduced in 1975 under a section of the General Faculties Council Policy Manual on "Academic Vacancies." These new "Measures to Prevent Discrimination Against Women," passed by GFC on September 29, 1975, read as follows:

> Recognizing the serious concern that exists within the University and the community concerning the proportion of women on the academic staff, and realizing that within many disciplines the available pool of women applicants is limited, General Faculties Council reaffirms the commitment of the University to non-discrimination in staffing decisions. Accordingly, the following steps shall be taken whenever an academic staff vacancy occurs:
>
> (1) Except where the Vice-President (Academic) has otherwise authorized, there shall be wide advertisement of the vacancy with a statement to the effect that both men and women are invited to apply.
>
> (2) Selection Committees will give careful and detailed attention to all applications regardless of the sex of the applicants;
>
> (3) Selection Committees shall be required to explain in their recommendations the way in which the above two steps have been implemented.

Three years later, on May 29, 1978, Section 48 on "Board/GFC Employment Policies" was introduced and endorsed by General Faculties Council as a completely new section of the Policy Manual. Within this major section, new policy appeared under Section 48.1.1 on "Basic Principles" with the statement that:

> In accordance with the provisions of the Alberta Bill of Rights and the Individual's Rights Protection Act and of related legislation, the University is committed to the principle of equal opportunity in employment. This principle encompasses such matters as selection and hiring practices.

Another Section on "Recruitment - Advertising" (S. 48.1.4) stipulated that "advertisements of staff vacancies shall indicate that the University is an 'equal opportunity' employer." The "Measures to Prevent Sex Discrimination in Appointments" first introduced in 1975 were incorporated as Section 48.2.1. Finally, Section 48.2.2 on "Collection of Data" made the request that:

> In order to determine the available pool of women applicants, Deans are urged to summarize how many positions in the Faculty have been advertised, how many applications were received from males, and how many from females.

These revisions were approved by the Board of Governors on June 2, 1978.

There was reference also, in the March 27, 1978 meeting minutes of General Faculties Council, to the June 28, 1976 establishment of an Equal Opportunities Committee, as a standing committee of GFC to "investigate and bring forward specific proposals for improving the status and numbers of women in all faculties, but particularly those in which women are underrepresented." The minutes report that from its inception in 1976, the Equal Opportunities Committee had sought to broaden and finalize its terms of reference. However, proposed new terms of reference presented to Deans' Council in 1977 had met with the following response:

> It was felt by many members of Deans' Council that the present grievance procedures in force at the University of Alberta were of a sufficiently comprehensive and elaborate nature so as to obviate the need for another committee to protect the rights of individuals or groups.

As such, Deans' Council passed a motion on October 19, 1977 to the effect that:

> Dean's [sic] Council could not endorse the need for an Equal Opportunities Committee.

The Deans' decision notwithstanding, General Faculties Council proceeded, on March 27, 1978, to table a motion regarding the Equal Opportunities Committee "pending clarification of the terms of reference" and to adopt, one month later on April 24, new terms of reference for the Committee (General Faculties Council, 1978). In part, the terms were:

> To identify areas of concern wherein there is reason to believe that a) equal

> opportunity initiatives should be undertaken by the University; b) human rights, as assured under Federal or Provincial legislation, may have been abrogated in practice at the University.
>
> To make an initial assessment of the issues involved and the seriousness of the situation, and to consult, in camera, with the G.F.C. Executive Committee from time to time ... before proceeding with further studies.
>
> To carry out further studies ... or to request that other units cooperate in conducting such studies.
>
> To report its findings to General Faculties Council and to recommend courses of action aimed at providing equal opportunities for all members of the University community.

In 1982, however, General Faculties Council revisited its earlier decision to establish an Equal Opportunities Committee for the purpose of considering whether the Committee was in fact "the best mechanism to deal with human rights and equal opportunity issues" (General Faculties Council meeting minutes, June 28, 1982). After lengthy debate about the activities and relative successes of the Equal Opportunities Committee, three motions were put to the General Faculties Council by GFC Executive Committee:

> That the GFC Equal Opportunities Committee (EOC) be disbanded.
>
> That the EOC be replaced with ad hoc committees appointed by the President from time to time with respect to human rights and equal opportunities areas.
>
> That GFC recommend to the President that an information officer be appointed to refer complainants to existing University mechanisms and to act as a "clearing house" for all complaints. The information officer should be ... conversant with the history and structure of ... [the University's] mechanisms.

Interestingly, part of the debate on whether or not to abolish the Equal Opportunities Committee focused on legal opinions doubting GFC's authority to examine matters such as human rights and equal opportunities unless considered within a specifically academic context. Reference was made to that section of the Universities Act which enables the General Faculties Council to "make recommendations to the board with respect to ... any other matters considered by council to be of interest to the university," with the observation that perhaps GFC only could recommend to the Board that the Board examine human rights or equal opportunities issues (General Faculties Council meeting minutes, June 28, 1982):

> It seemed that GFC could only recommend to the Board with respect to other than academic matters.... [The Chairman (the University President)] doubted whether GFC had the authority to examine human rights and equal opportunities areas unless they were viewed in relation to academic matters.

As such, it was intimated, General Faculties Council may have been acting ultra vires in setting up an Equal Opportunities Committee:

> The Chairman [the University President] stated that it was not in the interests of the University for GFC to focus on matters which were not its responsibility. It would be more important, he said, for GFC to spend its time dealing with matters clearly under its jurisdiction than to become involved in areas not within its legislative authority.

The President added that he would consider striking a "standing Advisory Committee to the President" on human rights and equal opportunities matters.

Following the debate, the three motions noted above were put and carried, and the Equal Opportunities Committee was disbanded.

Some years later, on June 22, 1987, General Faculties Council approved a substantial revision to Section 48 of the General Faculties Council Policy Manual. According to the Equity Advisor, these amendments were intended to bring GFC employment policies into conformity with the Charter of Rights and Freedoms and to allow for measures that were needed under the Federal Contractors Program, including those to ameliorate conditions of disadvantage. They were the first GFC policy changes since 1978 relative to matters of discrimination and equality in employment. Professor Badir reflected that:

> The GFC Policy Manual had in its rules and regulations about appointments, as early as 1978 maybe, a statement which required ... the Vice-President to keep track of the numbers of women that were being hired, and the Deans and Chairs were responsible for reporting to the Vice-President on the numbers of women candidates that they had had for specific jobs ... or when a position was filled. Now that was never done. Nobody that I know of ever sent any information to the Vice-President. So, one of the first things I did when I became Equity Advisor, and this was in discussion with [the Associate Vice-President (Academic Administration)] ... we decided to

> firm this up.
>
> So Section 48 of the GFC Policy Manual was in a state of revision at the same time as we were in the state of informing the community that we had signed that document with the federal government.
>
> Section 48 of the GFC Policy Manual [was] actually changed to read the same words as the Constitution [Charter of Rights and Freedoms], Section 15(a) of the Constitution with respect to discrimination.... The ... beginning part of Section 48 [also] deals with the question of amelioration, so we were in compliance with Section 15(b) of the Constitution and, in addition to that, we were in compliance with the Employment Equity Act because we could in fact take measures to ameliorate differences.

As indicated by Professor Badir, the "Basic Principles" (Appendix K) section of GFC's policies on employment (S. 48.1) was amended in 1987 to include the following:

> 2) In accordance with the provisions of the Alberta Bill of Rights, the Individual's Rights Protection Act and the Canadian Charter of Rights and Freedoms, the University of Alberta is committed to the principle of equity in employment. Every individual is entitled to be considered without discrimination and in particular, without discrimination because of race, religious beliefs, color, sex, physical disability, marital status, age, ancestry or place of origin.
>
> 6) The University is committed to the amelioration of conditions of disadvantaged individuals or groups within the system.

Further, Section 48.2.1 which sets procedures for "Advertising and Recruitment" was revised to include the provisions noted below:

> 2) Wherever possible attempts must be made to ensure that the "pools of eligibles" from disadvantaged groups have been informed.
>
> 3) All advertising must contain the statement: "The University of Alberta is committed to the principle of equity in employment."

Finally, Section 48.2.3 on "Measures to Prevent Discrimination in Appointments" (Appendix K) was considerably elaborated to include expectations regarding the search for qualified applicants from the underrepresented gender; to direct selection committees to consider all qualified applicants "regardless of race, religious beliefs, color, sex, physical disability, marital status, age, ancestry or place of origin"; to specify the kinds of information that could not be requested during the interview process; and to require selection committees and Deans to report on the selection process. This latter amendment toughened the earlier provision "urging" Deans to report on selection procedures.

Part of the debate on these revisions (General Faculties Council meeting minutes, June 22, 1987) focused on the word "disadvantaged"; it was submitted by some members that the term "under-represented" should be used instead. Another person inquired, in reference to the basic principles that "employment decisions shall be based on merit" and "the University is committed to the amelioration of conditions of disadvantaged individuals or groups," as to which one took precedence. "The Chairman replied," June 22 minutes reveal, "that sub-section 1 which addressed merit remained as the first of the ... basic principles." There were questions also on "what conditions were to be ameliorated" and how was this to be done.

It is noteworthy that when the amendments described above were considered by GFC Executive, shortly before they were brought before Council (General Faculties Council Executive minutes, April 6, 1987), they were introduced to the Executive in the context of their relationship to the Federal Contractors Program. At the Council meeting of June 22, however, there was no reference whatsoever to the Federal Contractors Program (at least as recorded in the minutes).

As of June, 1991, the most recent changes to GFC employment equity policies occurred on June 25, 1990 with the addition, to the third procedure under "Advertising and Recruitment" (S. 48.2.1), of the statement: "The University encourages applications from aboriginal persons, disabled persons, members of visible minorities and women." Minutes of the June 25 General Faculties Council meeting report that:

> There was a lengthy discussion of a member's suggestion to replace the phrase "equity in employment" with "equal opportunity for all applicants."

Although the 1987 and 1990 changes to GFC policy were instituted with the intention that they would allow for the special measures required to ameliorate conditions of disadvantage and for compliance with the Federal Contractors Program, conflicting views emerged as to whether indeed special measures were permissable or if, in fact, they constituted a contravention of GFC policy. Some of this debate was captured in the previous chapter on Climate; however, comments by various University administrators and others furnished additional evidence of the existence of contradictory interpretations of GFC policy.

A member of the Law Faculty, for instance, was of the belief that any measure which incorporates the notion that "where you have equally qualified, excellent candidates, the woman should be hired" was not permissable under current GFC policy:

> As a lawyer, I think that it [GFC policy] goes the opposite way. I think it compels you to be gender blind at the stage of selection.... The gender consideration comes in the acquisition of the pool of candidates and then, it's whoever is best. You're supposed to be gender blind according to GFC policy.

"Now," he said, "having said that, I can tell you that there are units on campus that in fact follow" the practice that where there are equally qualified candidates, the woman will be hired:

> I suspect that that was part of the thinking in terms of non-development of the plan as well, is that somehow things were going to improve enough that the Federal Contractors people would leave us alone. The problem is that over the last ten years, the rate of female participation on staff has grown only marginally.

A previous AAS:UA Executive member felt that though the rules and regulations under GFC policy were intended to remove barriers, they didn't permit affirmative action:

> The thing that we don't buy on this campus--I guess we disagree with the Supreme Court which said that because of past discrimination, it is alright to discriminate now in favour of groups--[is] the affirmative action side of employment equity.... [People] want hiring on merit. Now, to some extent it is semantics ... or academic face-saving or whatever ... because merit is not that easy to define. And I must admit my thought at the moment is that if we get a couple of people applying to this department, a male and a female, and we really can't tell much difference between them, then we just choose the woman automatically because we don't have any. And so in that sense, that would be affirmative action ... I suppose.

A department Chair shared similar perspectives on the interpretation of GFC policy and about the kind of hiring practices actually taking place in academic units:

> I don't think, as written, it [GFC policy] gives a lot of scope. But I think there are clearly ... unwritten rules about what you can do. I think the application of the thrust of the President's Commission on this question [reference to the "demonstrably better" clause] contravenes GFC policy, but it is being done.
>
> Some people are saying that that can be done. There are actually no institutional checks to prohibit a department from doing that. It's a very difficult system to monitor. I would say virtually everybody is working within "all things being equal" [hire the member of the disadvantaged group].

Responding to a question on whether GFC policy was an equal opportunity policy or if it allowed for special measures, the Chair continued:

> I'm sure you've heard lots of interpretations that it doesn't. I think it says ... there may be special measures in increasing the number of unrepresented groups that apply.... That's it. Thereafter, once they're in the hopper, nothing else happens. I think that's the interpretation most people put on it. Therefore, the opponents of any form of employment equity say "you have no authority" ... and other people are sort of saying, "well, we have moral authority" or "who is going to stop us anyway." So it's quite chaotic. If you're legalistic, it's a real problem.

The Chair went on to point out that this was creating a "serious problem" beyond the more legalistic, narrow one of interpretation. He indicated that the lack of consistency in the application of these policies was creating "enormous scope ... for remarkably different standards between academic units," and that there ought not to be "greater opportunities for a woman or another underrepresented group to be hired in" one department than in another.

To an inquiry as to whether it was appropriate in the first place for GFC to be dealing with employment equity policies, the Chair responded that he thought it was "clearly a matter that raises very, very fundamental concerns about the quality of staff [and] the general position of the University [in society]." He felt therefore that it was "altogether a matter that GFC ought to entertain" and that the "management rights" approach was very narrow and he "would disagree with it strongly."

Another Chair, responding to similar questions, presented some different perspectives:

> Job equity ... is an issue which I think a lot of Chairs feel very uncomfortable about because on the one hand they want to stress excellence and, on the other hand, I think there's a fair number who want to rectify gender imbalance.
>
> I think that departments should be allowed to use special measures, I really do. Most of the major issues that cause problems start in departments and I think they should be solved in departments. I think departments should be permitted to take whatever measures that they have at their hand to correct some of these things.... I wonder about GFC, quite honestly. It's sort of a very peculiar structure to make policy and ... they are coming from all over the map on many issues.... Sometimes I think GFC is a joke. It's just too big and ... frankly, the students if they all turned up could run this place.

Specifically on the issue of preferential hiring, he had this to say:

> The problem is that a lot of people think that rectifying the imbalances is a great idea but once it potentially affects them, it's not such a good idea. And that is purely a self-serving attitude and it's very, very human.... So, in a theory way it's great but the minute it impacts on you as an individual, it's a different issue altogether, it's a very personal issue. And I don't know how you get around that other than by some educational process that will take a lot of time.

About department Chairs more generally, a former Associate Vice-President (Academic) had the following observations to make about their attitudes and approach to employment equity:

> Chairmen, in my experience, are not all aware of what contract compliance means except that it is bad news for them because, on one hand, they would like to be saying "look, we are already doing all these things and we don't need somebody to slap our wrists and say we had better shape up." But on the other hand they won't institute anything, they won't even admit there's a problem unless somebody sort of forces it on them.

The Deans and Employment Equity

According to the Universities Act (1990), "for each faculty there shall be appointed a dean who is the chief executive officer of that faculty" and "who has the general supervision over and direction of the academic work and instructional staff of the faculty" (S. 25(1)(a)(b)). Deans are appointed by the Board of Governors in accordance with procedures approved by the General Faculties Council (Universities Act, 1990, S. 21) which require that "such appointments shall be made ... on the recommendation of a selection committee or a review committee (General Faculties Council Policy Manual, 1990, S. 103.1.1).

The General Faculties Council Policy Manual (1990, S. 48.2.2) requires also that each Faculty shall have an advisory selection committee where "the duty of such committees is to advise the Dean in the matter of appointments to the regular full-time faculty."

Because of their legislated responsibilities for hiring academic staff, it was expected that Deans necessarily would assume a major role in any Faculty decisions about employment equity or the implementation of special measures. As a consequence, eight Deans, the majority of whom were men, were interviewed during the fall of 1990 for their views on employment equity including the Federal Contractors Program, and about related activities in their respective Faculties.

Deans were very much aware of their jurisdiction and responsibilities as regards the appointment of full-time academic staff and the fact that selection committees are advisory to Deans such that, by the letter of the law at least, a Dean has "the authority to disregard the advice of the selection committee and ... the final authority legally to make hiring decisions."[10] All observed, however, that it would be only in the most unusual

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[10] Former Equity Advisor Doris Badir referred to discussions she had had with the Associate Vice-President (Academic Administration) and the Vice-President (Academic) during a time when they were attempting to devise a mechanism for Deans to report on their hiring processes, as required in General Faculties Council policy, and to further the implementation of the Federal Contractors Program. They recognized, she said, that the authority of Deans in matters of hiring would effectively limit any outside attempts to influence or control the decisions made:

> The authority stops at the Dean. The Dean is given the authority by the Board of Governors to make an appointment and then ... the Vice-President (Academic) is informed an appointment has been made.... [The Vice-President (Academic)] and I realized that unless the Vice-President (Academic) and the Equity Advisor somehow or other had some opportunity to say "we don't think this is the right appointment" or "we think maybe you should think about this again," we might ultimately be in trouble [as far as meeting the

circumstances that they would ever choose to exercise such authority:

> If I felt that a departmental practice or an advisory selection committee had not looked at number of factors accurately, I would decline the advice of the advisory selection committee. I would expect that to happen very, very rarely.

Deans saw themselves as having a leadership role in securing positions for the Faculty, allocating positions within the Faculty, maintaining a high quality academic staff and communicating to selection committees and members of the Faculty what "we are looking for and my perception of what we need right now":

> I think ... that it's part of my authority and also part of my responsibility to lean on the procedures that are involved in hiring ... at the departmental screening stages as well as at the advisory selection stage.
>
> The quality issue has to rest right here. The Dean has to set certain standards and expectations and instil these in the departments, and they are. The departments know that if they hire someone who isn't going to pull their weight, it's a major problem. With a tenure system ... when you hire somebody ... it has to be done very carefully.

The role is important, said one, "for reasons having to do with academic quality and also having to do with equity matters." "I have a vested interest," explained another, "in the final shape of the Faculty."

Depending often on the size of the Faculty, certain Deans indicated that they chaired all advisory selection committees and met all the candidates, even though this involved a considerable commitment of time, in order to make sure that "there were certain standards met and that there were more or less equal standards across departments." As one Dean summarized, "it's probably the most important thing I do is hiring people."

Given their responsibilities for academic hiring, Deans were asked when and how

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requirements of the Federal Contractors Program was concerned].

> So we thought about that very seriously and then realized that, almost, it's a sacred right within the university system for the Dean to have that authority.... The department chooses the colleague that it wants and the Dean supports the department ... or the Dean makes the decision. But that's it. It stops there. So we ended up by leaving it like that.

they had first learned of the Federal Contractors Program and what they understood it to require of the University. The levels of knowledge among Deans regarding the program varied considerably and, although all had heard about the program, none were conversant with the details of its purpose and requirements. Some thought they had first become aware of the program through the Equity Advisor, either during Deans' Council meetings or in conversation with her directly:

> I don't know whether it was at a Deans' meeting or whether it was earlier than that. I don't know when it came out. I certainly remember Doris Badir talking about it a couple of years ago ... and I think that is where I ... understood what was really involved.
>
> I heard about it quite a long time ago from Doris Badir in some things that Doris has talked about. But you're going to ask me when I first saw it. When I first saw it is now, which is quite shocking.

Some were able to say that they had "heard about it in a number of contexts." Others had no recollection at all of being specifically informed about the program or what it necessitated. As one said, "quite frankly, I've not had very much come across my desk on the federal program here." Another admitted "I'm not sure that I could even say to this day that I've really heard about it."

A number of Deans had a general understanding that the federal program required the University to develop a plan outlining how it intended to increase the representation of disadvantaged group members among University employees. They were aware too that a failure to have and implement a plan would likely have implications for the future ability of the University to obtain federal government contracts:

> My understanding is that it requires the University to have a plan in place and without that plan, there will be certain federal contracts that will not be granted to individuals who work at this University.
>
> I understand that it requires of the University ... that it makes statements with respect to visible minorities ... there's a whole range of options ... [for] how one says that one is going to be accountable in terms of the employment of people of visible minorities.
>
> I'm aware that there is a Federal Contractors Program and I guess I've been aware for the last couple of years but, frankly, it's had no impact on the

> workings of this Faculty, at least at this time. So it isn't a pressure point.... I think there is a requirement that we have a positive policy in equality of employment and to be seen to be practising that at the University.
>
> The thing ... that I've thought of as most impressive about the Federal Contractors Program is that it does commit us to goals and to articulate the means by which we will achieve those goals, and that it does commit us to subjecting ourselves to review on our progress.
>
> However crude my notion is of the Federal Contractors Program, I have an idea of it as a systematized approach to the problem and as a contractual approach to the problem.

Several Deans held the mistaken impression that the requirements of the program applied only to those units which received federal research contracts, rather to the University as a whole:

> I think I first heard about it last year. We had talks about it [in the Faculty]. It's not a program which applies very directly to us because most of our money, our research money, does not come from the federal sector.... So ... this program would have limited application, if any application, to us at this point.
>
> We ... have virtually no federal government contracts in this Faculty. I see this [the Federal Contractors Program] as having organization-wide implications. I also think it becomes a question of how one applies it on a contract by contract basis.
>
> I see this as not very much affecting us; we don't get very many government grants.
>
> I understood it to be a form of contract compliance where the people who received research funding were required to comply with certain standards, certain gender mix, I assume, and other equity provisions. But it was a form of contract compliance directed towards those who were recipients of the grants. I did not appreciate that it is a broader form of compliance which requires the entire University to accept certain standards in order that ... [our] researchers be eligible for certain funds.... In fact, I would be interested in seeing what it actually says.

Yet another indicated that he had almost no knowledge at all about the program and its requirements.

> I don't know enough about the constraints it would place [on the University] to know if it would be desirable.... According to some, it might create a lot of problems; according to others, it might solve some problems. I would tend to believe that it would create more problems than it would solve. But I don't know much more than that.

Deans in all cases saw their immediate "supervisor" as the Vice-President (Academic) although most pointed out that on some matters they reported to the President or to other Vice-Presidents. None could remember, however, ever having received any information or instructions directly from Vice-President (Academic) concerning Federal Contractors Program requirements or the implications for the University in matters such as recruitment and selection.[11]

To a more general inquiry as to whether there had been any communication from central administration about the program, one Dean declared, "you know, it's possible but I don't recall. We get a lot of memos but I don't particularly recall this thing." He continued:

> I think you can infer from my ignorance about the topic ... [that] I'm badly informed. My question is "why am I badly informed"? I mean, it certainly hasn't been a big initiative around here, there's no doubt about that.... The fact that I am completely ignorant of it ... is significant. You would think that if University funds are at stake because there has been a failure to comply with an undertaking, that we would at least have a better understanding of what we're expected to do. Since I'll be the chief decision maker in this Faculty ... I should know and I don't.

Others, to the same query, confessed:

> Well, if there has, I've buried it or I've missed it.
>
> I would guess somewhere in the course of those varying assignments of mine, it's been mentioned somewhere. But the way I've probably dealt with it ... is that, if it's going to go into place, somebody somewhere along the

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[11] The fact that the Vice-President (Academic) would have to play a key role in order for action to occur on the Federal Contractors Program was emphasized by a former Associate Vice-President (Academic):

> The Vice-President (Academic) is the senior of the several Vice-Presidents and has the most to do with the academic staff, the hiring of them and the administration of their terms of having been hired, etc. And, yes, if anything is going to happen on contract compliance, it would have to be through the Vice-President (Academic)'s side.... The Vice-President would be the one to set policy or to administer policy that has been officially set by the Board.... The Vice-President (Academic) himself deals with the Deans, that's an established line.

> line will develop a statement or a requirement that will become the determinator of my action.
>
> I haven't heard very much, I haven't had very much come across my desk ... on it.... Maybe it's somewhere buried in all that paper, but I think I'd have spotted it.
>
> The Federal Contractors Program hasn't been on my agenda, you know. Maybe it is going to be but it hasn't ... been a factor in my life, really, at this stage.

To specific probes about whether the Federal Contractors Program had been discussed in Deans' Council,[12] responses ranged from "we talked about that at the Deans' Council ... probably two or three times formally and informally" to "I honestly don't recall it being discussed in Dean's Council since I've been here" to a very definite "no". The majority of those interviewed, nonetheless, did remember at least some mention having been made in Deans' Council although the level of discourse was reported to have been superficial and, to some, framed in such a way as to attempt to instill alarm:

> It has, but not in depth ... not really as an agenda item. It ... was for information and what we got was this big scare about something that happened in Manitoba.[13] We were told we will have to be very, very careful about what we put in place because if we put in anything ambitious and then we don't meet it, we will be in trouble.
>
> I don't know what the feds want exactly, and I don't know if anybody knows, and that's the problem. I remember ... [the President] talking about that ... at Deans' Council, having exactly the same question.
>
> I can tell you it has been alluded to in a discussion with the President about the [President's] Commission report.... It has been suggested that it is "pretty dangerous stuff." I sure hope that we'll be talking about it but I think that gender items get pretty quickly off the agenda. The President's Commission report was not discussed for any action in the Deans' Council.

One Dean, while admitting that it had "been mentioned ... [but not] discussed widely," said he was "not at liberty to disclose what has been discussed at Deans' Council" nor to reveal "who among the executive officers is most opposed to the Federal Contractors Program." He did suggest however that there were persons in high positions who were opposed to the program and who had not shared information about it. This perception of central administrators being against the program was shared by more than one Dean:

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[12] The mandate and operation of Deans' Council, an advisory body to the President, is described more fully in Appendix L.

[13] This is in reference to a situation at the University of Manitoba where the federal government requested that further strategies be undertaken in addition to those identified in the University's Employment Equity Work Plan submitted in January, 1990.

> I have heard very high level people suggest that it might be better to let the federal contracting money go than to have to do this.... I'm sure that that was said in a foolish state of mind, defensive, the sort of right-wing right of academics to choose their own colleagues which, of course, is not infringed by the Federal Contractors Program. Academics are choosing their own colleagues.

Still on the issue of whether it had been on the Deans' Council agenda, another Dean replied, "not that I can say per se except that [there has been] a lot of hand wringing in the sense that our report is late." Still another disclosed that:

> We never had, as far as I know at least, a real discussion among the Deans to know ... what would be our position on that.... No decision and no discussion really, no precise information or factual information about what is really requested.[14]

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[14] On the matter of discussions by Deans' Council on employment equity, Equity Advisor Doris Badir related this story:

> The Deans, every two years, have a retreat when they go off and talk about various things that affect Deans, and they had a retreat in 1989.... I saw their program ... they were about to discuss "hiring policy" and I went to ... [the Vice-President (Academic)] and said "I should be there." And he said "well, yes, I guess you should." So I went, but we never got around to discussing hiring policies.
>
> Now, it seems to me that one of the things we ought to have had in there all along [at Deans' retreats] was a half day on equity, a half day on compliance [with the Federal Contractors Program] as part of the whole hiring process.... I think that perhaps when Deans have retreats, there ought to be a very definite time spent on the whole question of affirmative action and what it means and where the University wants to sit. Anything that's done now has to come from the Deans. They have to go from their meetings with Vice-Presidents to Chairs and say "every department must establish goals for itself."

As to the tenor of the Deans' Council discussions, it was revealed that "very much coming from the head of the table" and, to some extent, also from the Faculties of Science and Engineering was the stance that the contract compliance program was an inappropriate intrusion by the federal government into the affairs of the University.

The great majority of Deans who were interviewed, however, did not share this perspective and, while recognizing the increasing demands of governments and others upon universities: "I think the reality is that universities are losing autonomy very quickly on many fronts," they acknowledged that government had a legitimate role in attempting to ensure the achievement of societal goals:

> I would be inclined to think on a matter like that, where we are attempting to achieve a fundamental value change or an affirmation of a value that is to be held Canada-wide, that unless the federal government has that kind of power available to it, our capacity to achieve that degree of acceptance and endorsement and enactment of that policy is going to be greatly handicapped. So for that reason, I don't really see the federal government's action as an intrusion.
>
> I very much feel that if you are going to get government money, the government has the right to put strings on.... I think if they feel it's appropriate at a particular time to try to right some injustice, that that's fine.
>
> What I see as the role of government is to reflect society's attitudes as to what is acceptable or unacceptable. The fact that this program was even initiated would suggest to me that there are problems.... In some ways, I recognize the federal government's jurisdiction over this issue as being perhaps a little more legitimate than GFC's.
>
> I wouldn't put much stock in that argument. It doesn't offend me that the federal government would be imposing minimum standards through contract adherence policies.... If you want to run your university without federal money, go ahead. I don't think that it's unreasonable for granting agencies to impose conditions.
>
> I put a fair amount of trust in the decisions of the larger society and, if I saw something coming from the federal government ... I would say to myself, "those are introduced, they've been accepted, they've been debated, they are reasonable relative to the culture and country in which we live. Therefore, it is not my place or obligation as an administrator with a public trust to somehow act in defiance of those."
>
> I think it's high time we got on with it. I think that universities have to have autonomy in lots of respects. There has to be academic autonomy.... but I also think it's not a separate world here, and that we have enough

> experience on this matter to know that universities are not themselves doing what they should be doing. Indeed, I guess universities are probably doing a lot less than the private sector in this respect. I think ... that universities need to be caused to move and to be serious about this, and that it is the function of federal legislators to cause society to take the shape that the society should take.

One Dean proposed that whether or not the federal program could be considered an improper incursion into University jurisdiction depended on how one viewed it, constitutionally and otherwise. Since education is a provincial responsibility, in that sense it could be interpreted as an intrusion. "On the other hand, if you look at the contractual part ... then it's like any other contract. They can put any conditions they want and if the other [party] doesn't want to agree to these, then you just have to say 'no' and not apply."

Finally, there was one position taken supporting the view of the program an an inappropriate intrusion:

> Well, maybe that's why I've ignored it. It bothers you ... when people assume that they have to impose rules to get you to behave in an equitable fashion. As an administrator, I've always tried to pride myself on being fair with people ... and I'm not sure that we need threats that if you don't do certain things you are not going to get certain rewards or certain opportunities. Maybe there's evidence to the contrary but I sometimes think these things get dreamt up in backrooms where they really haven't got out into the front lines and realized what people are trying to do.

As to whether existing GFC policy was an "equal opportunity" policy or whether some form of preferential hiring, such as would be manifest in a policy advocating "all things being equal, hire the member of the disadvantaged group," would contravene GFC policy, the perspectives of Deans varied. One advised that he had "never interpreted" GFC policy as allowing for "positive discrimination in that sense." A second opinion, however, was that "there's nothing in the existing structure which prohibits selection committees from placing a priority on hiring female applicants." Others said:

> I see the GFC policy as workable in many situations. I do not feel the GFC policy prevents you for doing some slight affirmative action.... [However] the business of advertising very specifically for a woman, I feel, probably can't be done under the GFC policy.

> As I understand it ... the policy of the University is still that we hire on the

> basis of excellence. Now, if it comes down to a decision that you can't distinguish on the basis of excellence between a male and a female employee, then you would give preference to the female.... At least in my Faculty, that would be the way I would interpret it.... All else being equal, I think there would be a proactive effort to build up the ... [number of] women in our Faculty and I think we would take that approach.

As Deans described the situation in their respective Faculties regarding efforts to augment the representation of women, it was interesting to note that some of the postions articulated seemed to contradict their earlier statements to the effect that the approach inherent in the federal program was not inappropriate. In other words, some expressed less support for a mandated approach to employment equity when responding to questions about activities within their own faculties:

> I've hired more than 50 percent female faculty members since coming ... I'm emphatic that I will hire on the basis of quality and the gender issue is incidental to me. And I realize that is walking on a little bit of thin ice but the fact that we've hired more females than males based on quality, I think, is a lot better than legislating gender equality.
>
> In our Faculty, my view has been ... that we have a serious shortage of women faculty members. The number ... is disproportionate to the number of female students ... [which] is approaching 50 percent. I think that our teaching faculty should reflect that and so we've been pursuing that kind of policy.... We have vigorously recruited female applicants and we have hired more females in this period than ... ever ... before--without some sort of central direction to do so [but] simply because we think that's the right thing to do and there's been a large consensus on that point in the Faculty.
>
> Indirectly, informally, I think there is some positive discrimination but it's not ... a policy of the Faculty. Everybody realizes that we don't have enough women. When a woman candidate comes in, everybody is ... positive about it ... and more open towards her candidacy.... [but] not because of legality or law or anything like that. We don't have a quota but everybody realizes we are not fifty fifty.
>
> [Department Chairs] agreed with consensus, we didn't have a formal vote, we agreed that it was time for the Dean to talk to departments about reasonable hiring goals.
>
> My own approach to this has been that as a Faculty ... which has a student population of approximately 50 percent female, that we have an obligation to recruit female faculty members who can ... act as a role model for young women students; secondly who can bring to the study of ... a feminist perspective because in ... right now, as much as in other disciplines, feminism provides a very exciting method of examining some fundamental concepts, fundamental relations. It makes the intellectual life of the place

> more vigorous. So, for those two reasons ... it just makes good sense to me to do it, quite apart from addressing unfairness.

Descriptions offered by Deans as to what they felt was meant by the term "employment equity" illustrated a considerable depth of understanding of a number of the key concepts on the part of some; others interpreted employment equity essentially as meaning equal opportunity:

> It means ... two things, one positive and one negative. The negative one is making sure that you aren't putting in criteria or holding up some kind of standard that inadvertently, indirectly or very blatantly discriminates against women. You want to make sure that you take into account different career patterns and different activities at different times--that you don't require a certain "you must have done this and if you haven't done this, then you can't even be considered." So there is making sure you aren't putting up these sorts of systemic barriers. The other is the very positive in terms of going out and making sure that women are encouraged to apply.
>
> One approach ... would be to say, "as far as the future is concerned, we will give greater attention and perhaps let that condition be the persuasive factor in hiring." What you often hear in the University is that after they talk at this ideal level, they always come back to "but we're still interested in hiring for quality." The tough thing is that ... that may more often as not be the cop-out that enables them to say "we really understand what is being debated ... but we're primarily about academic scholarship, respectability." At some point you have to ask yourself, "am I really committed to that degree of opening up that I'm saying that I am"? I think at some point, you've got to almost take that affirmative action in order to provide the visibility, the recognition that there are people with whatever ... condition of race or language or physical condition or gender that can do the job, and do it according to that so-called academic or scholarly standard.
>
> To me, employment equity implies equal opportunity and that one should not discriminate ... in employment.... I would rather fill a position with the best possible person rather than simply go to my number three, four or five person on the list simply to meet a gender quota. I would argue very, very vehemently against that. I have difficulty with affirmative action and for that very same reason.
>
> I think it means ... that everybody should be considered on an equal basis for the positions and there should be no discrimination. And, I guess, a proactive policy [where] all else being equal, we would try to change the gender balance in our Faculty.

To inquiries as to what would be necessary to realize the implementation of employment equity at the University of Alberta and what positions and structures would have to be involved, Deans articulated a variety of ideas and approaches.

One contended that the impetus would have to originate from the Office of Human Rights[15] and thereafter, General Faculties Council Executive, General Faculties Council, Deans' Council and, perhaps, the Board would have roles to play. She remarked as well that:

> The equity person would have to have the feeling that they had their Vice-President behind them the whole way.... There would have to be a very, very strong commitment by Dr. Stanford because she would probably be fronting an awful lot of flack.

To a follow-up question on whether the Vice-President (Academic) rather than any of the other Vice-Presidents should have a primary responsibility for employment equity, in particular because of the reporting relationship between the Vice-President (Academic) and the Deans and the fact that employment equity involved the academic staff, the Dean replied:

> I don't see any difference whether it came from the Vice-President (Academic) or ... from the Vice-President [Student and Academic Services]. I don't think GFC would--I mean, they will attack it whether it's from Dr. Meekison or Dr. Stanford. In some ways ... it makes sense to have all the equity matters coming out of that one office.... I think it is stronger now than having it dangle off the President and being ... [an] "at his whim" kind of thing.

Finally, she considered that once an employment equity policy was in place, people's behaviour would begin to change in compliance with the requirements even though there would continue to be a few individuals who would remain negatively disposed toward any such measures:

> You are not going to change their minds. They are always going to be there. As long as the policy is in place and people are aware of it, people, I think, will be careful. I still think there will be inequities, there always will be. But once it is there, people will be a little more careful.... It's just like so many other things in life, I mean, it will come and it will be there and eventually, people won't even think anything of it. There's a big fuss now

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[15] The Office of Human Rights was established in August, 1990 following the retirement of the Equity Advisor and the July, 1990 release of the Report of the President's Commission for Equality and Respect on Campus. The Office of Human Rights is described more fully in Chapter 8 on Leadership and Resources.

and five years from now, there won't be.

To similar inquiries about what would be needed to implement employment equity policies and who would have to be involved, other Deans said:

> I think that the central administration has to indicate its strong intention.... You need to have a very firm, clear intention by the University ... with the application ... in the grey zone so that people can take their own path to reach the objectives. If you try to define the paths very clearly then I think that you'll have undesirable problems that will counteract the objectives that you are [trying to achieve].
>
> Obviously the whole administration in terms of the President, the Academic Vice-President and his whole cadre of people and I suspect, as I see this University operating, that GFC would get involved. I don't think that would be necessary but I think that they [GFC] would.
>
> As far as policies with respect to equity and discrimination, I guess these are initiated by the Vice-Presidents, and the President and GFC all have a role.

Still others, to the same questions, seemed less certain about what the approach should be:

> In terms of GFC, I see their role as essentially indicating the academic dimensions, academic requirements. I see the management role--which is not the same as the GFC role--my role as Dean and that of my department Chairs, the Vice-President (Academic), the President as basically setting ... management guidelines within the context of the academic guidelines. So, I guess I'm not sure what GFC's role would be ... because I have some difficulty seeing how that's an academic issue.
>
> Certain changes can be made at the Faculty level. Others would have to be made through the GFC because the GFC has ultimate authority to govern the academic affairs of the University.... [In this Faculty] everyone thinks we should have more women. The question is, how do we do that? How do we achieve that goal? Do we impose it, a quota, some sort of affirmative action, quota through legislation or do we simply work towards that goal?
>
> I suppose ... [a hiring policy] might come to be endorsed in several different arenas and the possibility that any one of them could suffice--GFC for example? Whether or not that would have to be ratified by the Board I'm not really familiar enough with the organization to know. But I suspect also that the Board would have the authority to make that kind of declaration.

There was mention also that what was involved was a "social change process" which had "to be dealt with like any other political problem." This meant that there would have to be "discussions to make sure that all the facets of the problem were looked at" and where people could "discuss their points of view." Eventually, if "everybody buys in," then change will take place.

Changed attitudes rather than legislated requirements was considered by some Deans to be the preferable and, in the long run, more successful means of achieving employment equity goals:

> It's as much an attitudinal--getting people to realize that gender ... should not be an issue. I think we run some very real risks if we go the other way and say "OK, we're now going to go into an affirmative action program that we will hire a third rate female ... just because we've got to meet some quota." Then the pressure it puts on that person.... maybe a women got a job but it did not make life simple ... for her in terms of academic progression.... [And] you get a backlash. Academics have a weird notion that if somebody tells them that they must do something, that's as good a reason as any to want to do the opposite--like kids.
>
> I think changing the rules is sometimes a very clumsy way to go about changing the system.... It may make more sense to persuade people it should be done.... In structuring legislation of this sort, where you are trying to bring about social change, you have to be alive to the reality that there can be resistance ... and that legislation can be circumvented.... Although the rule may appear clear, it doesn't necessarily mean that's what takes place.
>
> I don't have confidence in legislation and regulation. I don't think that's the way to get things done necessarily, or get good results that way. It's better to reach a goal on a consensual basis and try and pursue it.
>
> I think that there is a body of opinion around here which says "we believe that academics have the right to choose their colleagues and without any kind of restraint or pushing around from anybody else." So I think the fact that we have signed is not necessarily anything like the same thing as being really actively engaged.
>
> Who approves it may be less important than who chooses to initiate it and what ground swell of support there is for it. Because as I think of those kinds of hiring policies, there is a way to comply with them at the level of the letter of the law ... [It is] quite another thing to comply with it in terms of the spirit of that law or policy. If there hasn't been a sensitizing and a responsiveness to that by the people who are going to have to act it out, carry it through, then ... they're not going to really achieve the intended purpose.

There was acknowledgement, nevertheless, that there would be difficulties in some instances in bringing about attitude transformations and that "people are resisting this thing in all kinds of ways":

> Take a Faculty like mine ... demographics being what they are, "the little woman should be staying home and cooking dinner and looking after the kids." I say that a little with tongue in cheek but there is some of that attitude. Takes a while to overcome it.
>
> I've heard some horrifying stories from some people on this campus and in areas where I had assumed that the light would have found its way in a lot quicker than into this rather traditional male-dominated Faculty.
>
> [In] our Faculty ... I would guess that there would still be a number ... who are reticent to let those matters be dominant in their thinking. I can think of some professors who would say to me, "now look, we're making far too much out of this gender business than it deserves."
>
> There's a lot of rhetoric ... [that] stems around "we want to be able to do what we want to do and we want to hire excellence." The underlying meanings are that, in many instances ... if you are female or if you are whatever visible minority, you aren't going to be as good.... Conversely, there are ... people that say "wow, this is just wonderful" and then they keep on behaving like they did. So you have to separate the rhetoric and then the actual action.
>
> When I was interviewed here ... [a person] said to me "you need to realize you are coming to the Texas of the north." That, of all the things ... that people have told me, has been one of the most useful.
>
> The perfectly obvious thing is that we have a whole lot of vested power; we have a lot of threatened persons who think that they are going to lose something.... People who have a lot to lose want to protect it. But then I also think there is plain hide-boundness.
>
> I think that the people who are opposed to any kind of revision in hiring practices or any kind of commitment to moving forward on the gender matter rely very heavily on the fact that the demographics are on their side. There is a large proportion of the 55 year old, white anglo-saxon male at this University at the moment, and that's likely to be the group which is least receptive to this kind of change.
>
> Really, this whole issue of legislation unmasks the other thing that we are taking about, makes it perfectly plain that this is a matter of power, internally and externally.

Recognized also was the fact that additional efforts to recruit and hire comprised only the first steps toward employment equality for academic women, and that other factors, especially those having to do with women's family responsibilities, would have to be addressed:

> It creates some sort of formal equality ... but it doesn't really help women to balance, bring balance to the other parts of their lives. It doesn't ... resolve

> the competing claims of childbearing.... It is methods of performance assessment, what sort of leave provisions do you need for maternity or paternity leave, or for child rearing emergencies. We have to change our view of work.

Deans in all cases were aware that a pool of suitable female candidates often was not available and that further effort was required to encourage women to pursue graduate studies and to provide support to them during the term of their programs.

Sometime shortly after these interviews, either in late 1990 or early 1991, Deans' Council passed a motion asking the Vice-President (Academic) to bring forward, to General Faculties Council, the recommendation of the President's Commission for Equality and Respect having to do with "the principle that qualified disadvantaged group members should be hired unless there is a candidate who is demonstrably better qualified for the position." Corroboration of this was provided, in the spring of 1991, by an Associate Vice-President who advised that "Deans' Council has in fact approved that we proceed with this recommendation and make the change to the policy manual, which means we must go to GFC Executive and GFC for approval." The Associate Vice-President indicated that the appropriate section of the General Faculties Council Policy Manual was being rewritten very carefully so that people "don't end up arguing over the dots and the commas and the words" but, rather, will concentrate on "the intent":

> So that's why we're taking a bit more time in drafting it before we send it to GFC Executive. I'm still waiting to hear from ... who is a lawyer, who is looking at it very carefully so that when we go ahead and make our arguments, we are going to be able to answer the queries that other people have.

The Association of the Academic Staff of the University of Alberta

The requirements necessary for compliance with the Federal Contractors Program or the eleven "criteria for implementation" are described in a document entitled Federal Contractors Program - Information for Suppliers (Canada, 1987a). Among these are requirements for:

> 1. Communication by the organization's chief executive officer to employees, unions and/or employee associations of the commitment to achieve equality in employment through the design and implementation of an employment equity plan.
>
> 5. Elimination or modification of those human resource policies, practices and systems, whether formal or informal, shown to have or likely to have an unfavourable effect on the employment status of designated group members.

To fulfill this latter requirement, it is suggested that "a review be undertaken of all procedures used in the recruitment, selection, training, promotion and termination of employees." The purpose of this employment systems review is to remove practices and policies that have unintentionally adverse effects on the employment and advancement of designated group members. In other words, it is intended to address systemic discrimination.

The federal policy also contains requirements for the:

> 8. Adoption of special measures where necessary to ensure that goals are achieved, including the provision of reasonable accommodation as required.

Special measures, according to the federal government, often are necessary to alleviate specific employment problems affecting the ability of designated group members to participate fully in a particular workplace. These measures can include, as examples, the provision of training, day care, parental leaves, flexible work arrangements and physical plant access. The special measures and reasonable accommodation requirements are based on the premise that same or similar treatment does not necessarily produce equality of result or impact, and that specific strategies or different treatment for certain groups may be required in order to bring about equality of outcome.

Because many of the items encompassed in the federal criteria have to do with working conditions and the future prospects of employees once they are hired, unions and/or employee associations must be involved in any organizational response to the Federal Contractors Program.

In Alberta, the Universities Act (1990) requires that for each university "there shall be an academic staff association" that "consists of the academic staff members of the university (S. 21.2(1) and 21.2.(2)). According to the Act, the academic staff association has the "exclusive authority" to "negotiate and enter into an agreement" on behalf of the academic staff (S. 21.2(3). Also specified is that "business and affairs of an academic staff association shall be managed by an executive" elected by the academic staff members (S. 21.2(4).

When an academic staff agreement expires or needs to be amended, the board and the academic staff association are required to enter into negotiations for the purpose of developing a new agreement. The Universities Act (S. 21.5) stipulates that the agreement must contain provisions on at least the following matters: (a) salary rate and wage rate schedules, (b) procedures for the settlement of differences between parties on matters under the agreement, and (c) procedures for negotiating future agreements.[18]

The academic staff association at the University of Alberta is called The Association of the Academic Staff of the University of Alberta, more commonly referred to as Staff Association or the AAS:UA. The Staff Association, by virtue of statute cited above, is the legal representative of the academic staff and, on behalf of the academic staff, serves as the bargaining agent during Faculty Agreement negotiations with the Governors of the University of Alberta. Items subject to negotiation include salaries and benefits as well as other terms and conditions of employment such as probation and tenure, salary increments and promotions, discipline and dismissal, grievance and appeals, and leaves of various kinds.

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[18] Notably, the Universities Act specifies that provincial labour laws constituted under the Employment Standards Code and the Labour Relations Code do not apply to the board, the academic staff association or the academic staff members of universities (S. 21.7). The effect of this is that minimum employment standards which are assured to the majority of workers in Alberta, such as a right to parental benefits including 18 weeks of maternity leave or 8 weeks of adoption leave after one year's continuous employment with an employer, are not guaranteed in law to academic staff members of Alberta universities. Instead, maternity leave provisions, as part of the terms and conditions of employment, are subject to the bargaining process between the Board and the Staff Association, at least at the University of Alberta. According to Professor Badir, "maternity leave is not an officially established thing within the Academic Staff Agreement" and, although "the University sets aside a certain amount of money" for this purpose, "there is no firmly established 'you are entitled to x number of weeks maternity leave'." Instead, provisions for maternity leave in the 1988 Faculty Agreement are found under Article 26 on "Other Leave" which reads:

> Staff members may be granted leave with or without pay for prescribed periods and purposes. This category of leave is also inclusive of childbirth leave, a program under which a female staff members is eligible for up to twelve weeks' leave at full pay.

The method of bargaining between the Board and Staff Association does not follow traditional union versus management models for negotiating settlements, however. This is because an exemption from the Labour Relations Code was placed in the Universities Act in recognition of the bargaining tradition already established in Provincial universities before the enactment of the Universities Act. Explained a representative of the AAS:UA:

> When the Government recognized statutorily what had been happening, rather that put us under conventional bargaining models ... we were explicitly exempted from ... those statutes and instead, we have special recognition.... [However], because we invented our own system and didn't use one tailor-made in a labour statute, it lacks the efficiency of a labour statute but it also lacks the prescriptiveness of a labour statute.

In practice, apart from the Salary and Benefits Committee, the terms of reference of which "are laid out in the Agreement" and which "are very explicit," the terms and conditions of employment set out in the Faculty Agreement are negotiated by an Agreement Review Committee.

The Agreement review process is outlined in Article 4 of the Faculty Agreement (University of Alberta, 1988g) which states that the Agreement Review Committee "shall consider amendments to the agreement" except for those matters referred to in Article 8 having to do with salary and benefit negotiations. The Committee, consisting of four members appointed by the Board and four by the Association, "shall meet as frequently as necessary to consider any amendments proposed by either the Board ... or the Association ... or by other ... [AAS:UA committees] or persons." Amendments that are agreed upon by the Agreement Review Committee are referred to the Board and to the Association for ratification. Where the Agreement Review Committee does not approve of a proposed amendment, or where either the Board or the Association fails to ratify an amendment approved by the Agreement Review Committee, "the status quo shall prevail."

What this means, in effect, is that unlike conventional union vs. management negotiations, nothing can be placed on the bargaining table unless both the Board and the Association agree that the item will be reviewed. As an Associate Vice-President explained:

> Our agreements are somewhat different than most collective agreements in that ... to change the terms and conditions of employment requires both sides to agree at the bargaining table. If one side proposes a change ...and the other side says "we're not even interested in talking about it," that's the end of the discussion. Most collective agreements ... if one side puts in a proposal and the other side doesn't like it, it can go to arbitration. But ours doesn't work that way.

As to how items reach the bargaining table in the first place, a representative of the AAS:UA admitted that "there is no policy directive to tell anybody how to do it.... It could happen in a variety of ways":

> The majority of things are raised either by the administration or by the Association when existing clauses need work.... Either we think that they are unfair or they could be improved or the administration finds them ... practically difficult to exercise or what have you. Major changes will usually be initiated by the Association but not invariably. The administration can suggest major changes and does from time to time.

From the Association side, recommendations for change can arise from any one of several committees or from the Executive or the Council. The Council, consisting of 50 persons elected from among the members, is the "official policy arm" or the "decision making body" of the Staff Association. Thus, any proposal for a major amendment must receive the endorsement of the Council before it becomes "the policy of the Association to seek that change."

Professor Badir discussed the bargaining process from the point of view of how it affects getting issues of concern to women into the review process:

> [The] AAS:UA bargains for all academic staff and they usually ask academic staff--they send out a list of things "what would you like us to bargain for"? And basically, none of those things [day care, parental leaves] are ever

> asked for by the majority of the academic staff. I mean, you can understand why--their kids are all grown up, their age tells you what their interests are going to be.

Later in the interview she said:

> There's always been a very, very gentle relationship between management and the union, almost to the point where union is too understanding of management's position.... Well, the President of the AAS:UA sits on the Board of Governors as does the President of NASA [Non-Academic Staff Association], which obviously puts people in very strange positions.

Another view of the bargaining process, and the difficulties it poses for bringing about changes that would promote equity in the terms and conditions of employment, was provided by a former AAS:UA President:

> Part of the equity program has to be "what happens once a person gets here" ... you have to accommodate differences. You have to determine, for example, why is it that most or many female graduate students ... prefer to go into industry rather than into universities. You have to start taking a very close look at the benefit structure and the other terms and conditions of employment contained in the collective agreement. We have an incredibly rigid career progress system at this University.
>
> Terms and conditions of employment ... there's a committee that discusses all of that ... called the Agreement Review Committee. Guess how many women are on it? Eight people on it--none! It's then dependent on empathetic males pushing the line and there are problems with that. Empathy does not equal the lived experience.... And then the other factor, of course, is that depending on the year it is, you will either find some empathy or no empathy. It becomes a question of when does the bargaining occur.
>
> We annually negotiate only the salaries and benefits. All the remainder of the collective agreement is negotiated as the parties deem fit. If the two parties agree to sit down and talk because they both share a common concern ... then you sit down and talk.... Under the Agreement here, there is no dispute resolution mechanism. I can't, for example, walk in and say "I want affirmative action." If the other side says "take a hike," I can't go to arbitration, I can't go on strike, we're locked in.
>
> So the critical question ... [on] equity progress, in terms of "once you are here, how will you be treated," is very dependent on the composition of the [Agreement Review] Committee and the extent to which there is a shared concern.

Another story on the difficulties of introducing change to the terms and conditions of employment through the current review process was related by a member of the

Women's Issues Committee. Her particular example had to do with the issue of extending the tenure probationary period for persons who take parental leave. This is known, she said, as the "ticking tenure clock" issue because, at the moment, there is a limit to how long the probationary period can be:

> In our existing Agreement it's five years and six months. We want one clause that is two sentences [long] introduced into the Agreement to say that "where a staff member has taken childbirth or child care leave, probation will be extended six months." And also a second sentence which says that there shall not be a limit on the number of such leaves that can be taken within the probationary period. Now, I've just right there said all that needs to be introduced. [It] has taken two years to get to ... [that] point.

From there, she indicated, the proposed clause would have to go from the Women's Issues Committee to the Executive to the Council to the Agreement Review Committee who "will consider it for awhile." Then it would go to all the members of the Association "who could well kill it just because it looks like a freebie for parents who want to have babies. And this whole process of identifying the issue, articulating the issue, getting it through the committee structure and out to the membership and then, finally, into the Agreement could take, from start to finish, four years."

Federal Contractors Program and the Association of Academic Staff

As of June, 1991, the Association of Academic Staff, although aware of the program, had not engaged in any specific activities, such as an employment systems review, for the purpose of meeting Federal Contractors Program criteria.

As to when the Association first learned of the University's agreement of participate in the program, an AAS:UA representative said he could not remember exactly when or from whom the Association first heard about it. He disclosed, however, that at "roughly the same time" as the University signed the agreement, "we were attending meetings [off-campus] at which the requirements of the federal government, their policy changes were being mentioned ... and I found out what a certificate of compliance meant." He continued:

> I don't recall whether I first learned about it ... at meetings that I attended off-campus or whether I first heard about it when Dr. Horowitz announced that the University of Alberta had signed its intention to comply.

Questioned as to whether the Agreement review process between the Board and the Association was addressing the requirements of the Federal Contractors Program for an employment systems review, he answered, "implicitly yes, explicitly, no":

> The whole process of Agreement review, you can argue, does all of those things. But, if the question is, "have we received a formal request from the University administration asking us to participate in an explicit review of our procedures for the purpose of determining whether or not they comply with the Federal Contractors Program," the answer is no. Other than one exception, other than a request ... by Dr. Badir to review the questionnaire that she intended to send to all University employees as part of the census. We were consulted about the census.

A former President of the AAS:UA also was of the impression that the first information the AAS:UA received about the contract compliance program may have come from sources off-campus:

> We went to a meeting in Winnipeg ... of Western Faculty Associations and there was a talk from a man ... who was responsible for monitoring the Federal Contractors Program. And he said that several universities had already signed up for it--Alberta, several others. And that was the first time we'd heard anything about it. Apparently President Horowitz, it had come to him and he'd signed it on behalf of the University, or the Board of Governors had signed it or somebody had signed it, and it hadn't really got publicized very much.

Yet another previous AAS:UA President asserted that while "the development of the plan under the Federal Contractors Program is supposed to involve whatever staff association is in place, as of July of this year [1990], that has never occurred." This was verified by an Associate Vice-President who, in describing the activities at the time of the Agreement Review Committee said, "I'll be frank with you, we haven't really touched upon this issue at all. It just does not play any role right now in the Faculty Agreement review." Nevertheless, this same Associate Vice-President acknowledged his familiarity with the Employment Systems Review Guide manual produced by federal government, commenting that "to do all that ... takes a lot of time and resources."

A member of the Women's Issues Committee was similarly forthright:

> The AAS:UA hasn't basically heard of the Federal Contractors Program or employment equity or any of those things. It just isn't in its lexicon yet. The only extent to which there is any awareness of it is, it's a kind of anxiety, it's "oh, if we don't get into this, will our SSHRC[17] grants be cut off"? There isn't even the beginnings of an education program going on within AAS:UA for it to educate its own members about our obligations under the Federal Contractors Program.

It became apparent during the course of the study that the Vice-President (Academic) was the key person responsible, on behalf of the Board and the administration, for bringing to the attention of the AAS:UA information about the federal program and for notifying the Association of the requirement to conduct an employment systems review. This was judged to be the case based on the reported role of the Vice-President (Academic) in representing the Board in the Agreement review process.

According to an AAS:UA representative, "in the last decade, the Vice-President (Academic) has been the senior administrator active in negotiations on behalf of the Board." A former AAS:UA President similarly advised that "he has the authority over the current Agreement and he is the one who in fact negotiates with us. In theory we're negotiating with the Board of Governors; in fact, it's the Vice-President (Academic)." A member of the Agreement Review Committee also alluded to the pivotal role of the Vice-President (Academic) in his description of a situation that revealed an awareness, perhaps, on the part of the Vice-President of the pressures of the Federal Contractors Program:

> We're dealing with all sorts of issues which relate to gender and maternity leave, you know, how much you can have, what the duration should be, when you can take it, can you split it between spouses. The other thing which is being discussed is the sort of "ticking clock" business on tenure.... We hope that in the end we'll have ... more of a 21st century Agreement rather than a 19th century Agreement, the one we have right now.... I've been involved for two years and ... it's not something that just happened but it's been speeded up a lot more since ... Dr. Meekison started pushing a little harder.

AAS:UA records show, nevertheless, that issues related to employment equity and the Federal Contractors Program have been raised within the Association on a number of occasions over the years.

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[17] Social Sciences and Humanities Research Council.

AAS:UA Executive meeting minutes disclose that on October 26, 1986, the Executive Secretary was directed to monitor CAFA (Confederation of Alberta Faculty Associations) documents and publications coming into the AAS:UA office as a means of keeping the Executive informed about federal government equity initiatives.

The following year, the "Federal Employment Equity Program" constituted a major agenda item of the October 21, 1987 AAS:UA Executive meeting. The minutes note that:

> Professor Doris Badir, the University Equity Officer ... explained that, as part of the activities already underway on campus, the University has signed a commitment to the federal employment equity program. Employment equity implies that all who have the necessary qualifications and experience and who are able to maintain meritorious performance will be able to join the workforce. Where all factors are equal, employers will give preference to applicants from disadvantaged groups with the objective of achieving a representation of such employees proportional in number to those in the pool of applicants.
>
> The Equity Officer is already collecting data and monitoring appointments. Developing statistics on the pool of eligible applicants will be a new task.

Concerns expressed during this meeting were that "the program might undermine the employer's prerogative to judge the best candidate for a position" and that "legislation is not the best way to address discrimination, since discrimination cannot be measured objectively."

Professor Badir herself recalled that:

> I met with the AAS:UA Executive within ... months of having taken on the job and that was when I first began to talk to ... [them] about what we meant by it all. AAS:UA's concern was that decisions made by the administration might take away some of their rights and privileges vis-a-vis selection--that was a real concern at the time. That had to be talked about--"no, you can still choose, but you are being asked to consider all these other options when you are making those choices, you are being asked to think about what it is that informs your decision making."

Minutes of an October 28, 1988 Executive meeting record a comment made during the debate on a proposal to distribute of the "blue book," that "it may not be necessary to target selection committees since they are already made aware of the University's position on the federal equity program." Reported also at this meeting was that the Women's Issues Committee intended, in the upcoming year to (a) draft a parental leave clause, (b) develop a position paper on ways to encourage the recruitment of women to University positions, and (c) organize educational workshops for women on issues of promotion and tenure.

The next year, on May 16, 1989, the AAS:UA Executive received from the Women's Issues Committee:

> A background document and suggested wording for an article on parental leave in the Agreement. The Committee proposed a six-week childbirth leave and a 17 week parental leave which would be available to either parent.

Recommended also was that in order to ensure that "parental leave is an entitlement for all academic staff ... wording such as 'is eligible for' ... [be] avoided and replaced with 'entitled to'." The Executive moved to forward these proposals to Council for consideration by the Agreement Review Committee.

The matter of the Federal Contractors Program was raised once again during an October 5, 1989 Executive meeting during which, in reply to a member's suggestion that the AAS:UA state its support in principle for employment equity, another member cautioned that:

> The terms of the employment equity undertaking are complex. The University is one of 26 Canadian universities who have signed a letter of commitment to the Federal Employment Equity Contractor's Program. The University is committed to improving the ratio of staff from identified disadvantaged groups, relative to Canadian population statistics. While there is still ambiguity about the interpretation of the program in the University context (in particular, in relation to the principle of hiring based on merit), it may go beyond the principle of fair and equitable treatment.

Responding to this admonition, the Executive "agreed that the AAS:UA ... should not take a position on the principle of employment equity until more information about the interpretation of the program was available and the Executive has had further discussion."

The February, 1990 edition of the AAS:UA Newsletter (Association of Academic Staff, 1990) gave an account of the University President's answer to an inquiry from a Council member on "how the Administration intended to ensure that initiatives regarding gender equality and the recruiting of women academics would be implemented? Will targets, guidelines and deadlines be set"? asked the member. According to the AAS:UA Newsletter:

> Dr. Davenport replied that the University has a responsibility to ensure that a pool of excellent candidates is available, and that departments hire the most qualified applicant. Since individual units have a responsibility for hiring, a central policy would be difficult to administer. With regard to targets, the selection process is not quantifiable, it is a collegial judgement making process. Academic merit must be the first consideration. Hiring on other than the basis of merit would diminish the academic credibility of those appointed....
>
> Regarding the continuation of the position of Equity Officer, the President said that he was considering the creation of a permanent position which would combine the positions of Equity Officer and Sexual Harassment Committee Coordinator.

Later that year, the AAS:UA Executive met on May 15, 1990 to deal with business arising from the "Special General Meeting which Discussed the Brief Prepared for the President's Commission on Equality and Respect," held on April 26, 1990. Considered by the Executive was a proposal from the Women's Issues Committee to develop a policy statement on employment equity for possible consideration by the Association as official AAS:UA policy. The Women's Issues Committee's proposal was heedful that:

> The special general meeting held to address the AAS:UA Brief to the President's Commission on Equality and Respect made one fact very clear: the membership ... wants further opportunity to discuss issues of equity before considering a policy.

During this same May 15 meeting, attention was drawn to the fact that the Association was "required to be involved in the implementation of the Federal Contractor's program of employment equity for identified groups." It was expected, therefore, that the Women's Issues Committee's draft policy statement would form part of the AAS:UA's response to the requirements of the program. Accordingly, the Executive unanimously agreed:

> That the Executive recommend to the Council a program for discussion of equity issues leading to the ultimate development of AAS:UA policy, such a program to include an identification of issues through circulation of material to selected readers, compilation of responses into a discussion paper, circulation and discussion of the paper among the membership and ultimately the development of a policy statement.

And shortly thereafter, on May 31, 1990, AAS:UA Council agreed to "instruct the Women's Issues Committee to implement a program for discussion of equity issues leading to the ultimate development of AAS:UA policy," where such a program would involve the procedures listed above. Council remarked also that "because the University has agreed to comply with the Federal Contractor's Program, the AAS:UA policy will need to refer to that legal framework."

Women's Issues Committee - Association of Academic Staff

The Women's Issues Committee of the Association of Academic Staff was established in response to perceptions among women faculty that they "weren't particularly wanted" within the Association, nor was the Association interested in or responsive to the concerns of its women members.

The Equity Advisor recalled that:

> It was probably around 1986 ... that AAS:UA decided to establish a Women's Issues Committee.... and their job was to define areas of interest to women that the AAS:UA should be dealing with. They had already thought through things like part-time continuing, in other words, full tenure track but not full-time ... and they were beginning to think about such things, in the negotiation process, as day care, parental leave, maternity leave.

Some of this history is captured in the records of the Staff Association itself. February 25, 1986 AAS:UA Executive minutes report, for instance, that an AAS:UA Executive member had met with representatives of campus women's groups "in response to a perception that the AASUA is unsympathetic to women's issues." The groups had identified to the AAS:UA as their priority concerns, improved conditions and benefits for sessionals, fair representation of women on University committees and improved parental leave provisions, negotiated through the Agreement Review Committee.

As a consequence, it was proposed at the February 25, 1986 meeting "that the AASUA monitor administrative policy changes that would particularly affect women staff." Further, it was agreed to examine the possibility of establishing an "AASUA committee on women's issues."

Thereafter, on March 18, 1986, the AAS:UA Executive endorsed a motion that:

> The Executive approve the establishment of a standing committee on women's issues
>
> to develop policy recommendations regarding those areas relating primarily to or having a disproportionate effect on women members of the Association, and
>
> to act as an advisory committee to Council and Executive on such matters referred to it or as it deems appropriate.

A week later, on March 26, 1986, Council agreed to the creation of a Women's Issues Committee as a standing committee of the Association.

Since its inception in 1986, the Women's Issues Committee has devoted attention to several issues affecting academic women including day care, parental leave and other terms and conditions of employment, particularly those that relate to different career patterns.

In its 1987-88 Annual Report, the Women's Issues Committee (Association of Academic Staff, 1988) advised that it had developed a draft policy statement on parental leave and had decided to lobby, during the upcoming year, for educational workshops on tenure, career progression and committee participation. In 1987, the Committee also established a Sub-Committee on Career Progress and Evaluation.

The Sub-Committee reported on June 15, 1987 (Association of Academic Staff, 1987) that their efforts to examine the career progress of academic women at the University from available promotion and salary increment data had proved inconclusive. What was needed, they believed, was:

> A study in greater depth, using in-person interviews, and perhaps aiming particularly for information about the effect of familial duties and about the provisions made by the university from them.

The Sub-Committee concluded also that "precise information ... as to the reasons for applying for leave without pay might be particularly instructive about the career patterns of female staff."

Consequently, the Sub-Committee recommended that the AAS:UA undertake a comprehensive study of faculty women's career progress which would include asking the University to report all data on increments, promotions and leaves by gender. It advocated also that the AAS:UA explore "the financial implications of changing maternity leave to family leave" and of extending the "provision of family leave for longer periods in order to allow for emergencies such as the prolonged illness of a child."

The 1988-89 Annual Report of the Women's Issues Committee (Association of Academic Staff, 1989) listed, as some of its activities, continuing work on parental leave, participation on a University committee investigating the situation of sessional staff, and educational efforts such as the distribution of the booklet Seeing and Evaluating People ("blue book") (Geis et al., 1986). For the future, the Committee said it would examine proposals "for 'tenure holidays' for staff taking childbirth and parental leave," and concerns "regarding accrual of pension entitlement as it relates to women's non-traditional career paths." The Committee commented also on the need "to find other ways to keep the issue of equity the subject of discussion on campus."

Commenting on the relative success of the Women's Issues Committee in achieving its objectives, a former AAS:UA President ventured that "the thing they've done more than anything else is create an awful lot of discussion in the AAS:UA and in Council on women's affairs and therefore force people to think seriously about them, and therefore force attitudes to change." However, a member of the Women's Issues Committee revealed some of the difficulties faced by the Committee:

> There's a tendency every year for at least two or three members to come on who are extremely sceptical about the need for such a committee.... The general mood or tenor of the Association overall is to be not well educated and not sympathetic even to the existence of a Women's Issues Committee. So there's a great attempt each year to achieve what they call a "balanced" committee by which they mean people who really need to be convinced that such a committee ought to be there.... So women's issues matters tend to come up as irritants which have to be fitted in around the main business of the Association.... The Association has to represent the interests of the majority of its members. Eighty-six percent of its members are men; more that 50% of its members are male, full professors over 40 [years of age]. It's very hard to get a hearing then for the interests of ... members who don't fit that profile.

During the 1990-91 year, the Women's Issues Committee assumed responsibility for implementing "a program for discussion of equity issues leading to the ultimate development of AAS:UA policy," as assigned to it on May 31, 1990 by AAS:UA Council. The first step of this program was to rework the brief prepared for (but not submitted to) the President's Commission for Equality and Respect on Campus.

The Chair of the Women's Issues Committee reported in May, 1991 that a draft discussion paper was about to go before AAS:UA Executive at its May 16 meeting. The purpose of the discussion paper, once approved by Executive and Council (the latter expected to occur in September, 1991), "is to allow the voicing of opinions on issues that were raised by the brief."

Several activities had been carried out in order to the prepare the paper including the circulation, during the fall of 1990, of the original AAS:UA brief to persons who had expressed an opinion on the original document, asking for their comments and suggestions. The Women's Issues Committee Chair remarked that:

> I found the views of those who had opposed the brief very helpful because it exposed which areas were the problem.... And that's why I say that it is obvious to me the employment equity is a contentious area.

An extensive part of the discussion paper, she indicated, would be concerned also with different career paths:

> It's an issue that was certainly raised by the brief last year and it has such major implications. It's extensively dealt with in the discussion paper. I

> think that we're coming to recognize as a community that--this is a women's issue as well as a men's issue--traditional appointments just aren't for everybody. It's something that we do have to deal with both in terms of opportunities and evaluation.

To questions on whether the discussion paper or the work of the Women's Issues Committee during the year had looked specifically at the Federal Contractors Program, the Chair replied:

> The paper does. The Committee has not looked at the Federal Contractors Program this year as a particular issue. We know we are signatories to it and we've got a fairly good idea what's involved. I've discussed it with ... [the Director] in the Human Rights Office. That was part of the background information that I had to absorb in order to draft the paper.
>
> What we have tried to do is find some common ground on which, as a community, we can reach some agreement. I think part of that will be an understanding of exactly what the Federal Contractors Program is and what it actually requires.... [When] we're talking about employment equity, we don't immediately mean preferential hiring, for example.... [Rather], employment equity is about getting rid of obstacles.

Asked how this interpretation might fit with the endorsement by Deans' Council of the President's Commission recommendation that disadvantaged group members be hired unless other candidates were "demonstrably better," the Committee Chair responded:

> I'm aware of that recommendation. Effectively, that will become part of, as I understand it and I may be wrong ... the University's policy about hiring on merit. The only point we're trying to put across in the discussion paper really is that the concept of hiring on merit and the Federal Contractors Program are not incompatible.

CHAPTER 8

LEADERSHIP AND RESOURCES

The literature on organizational change and policy implementation affirms that leadership, above all other factors, is the most critical element in bringing about effective change in organizations. Without the commitment of organizational leaders, many writers have pointed out, the change process will be restrained and may not take place whatsoever. Likewise, without the necessary resources, the literature also is clear that policy implementation will be difficult.

The federal government apparently was fully cognizant of this necessity for support from organizational leaders when it specified, as the first implementation requirement of the Federal Contractors Program (Canada, 1987a):

> 1. Communication by the organization's chief executive officer to employees, unions and/or employee associations of the commitment to achieve equality in employment through the design and implementation of an employment equity plan.
>
> The successful implementation of an employment equity program depends upon the degree of commitment made by the chief executive officer and how this commitment is communicated to all employees.

Resources for the Office of the Equity Advisor - Funding, Personnel and Authority

The position of Special Advisor to the President on Matters of Equity was created with a total budget, for the period June 1, 1986 to March 31, 1987, of $71,000 for a half-time Equity Advisor position, a half-time secretary, plus non-salary operating dollars for office operation, committee work and workshops. With these resources, the Equity Advisor was responsible for advising the President on equity and human rights matters for the whole staff, both academic and non-academic and for the student body. She was expected also to participate in the University's job evaluation and pay equity review for non-academic staff.

After the March, 1987 signing of the Federal Contractors Program Certificate of Commitment, the University President assigned to the Equity Advisor the additional responsibility of preparing the University's employment equity plan. Nevertheless, financial support for the Equity Office remained approximately the same at $88,277, from April 1, 1987 to March 31, 1988, for a half-time Equity Advisor, half-time secretary and full-time (for two months) research assistant positions. Similar funding levels continued for the year April 1, 1988 to March, 1989 during which a total of $94,914 was made available.

In Professor Badir's final year as Equity Advisor, at which time she was responsible not only for the University's employment equity activities but also for chairing the Job Evaluation Review Committee established by President Davenport to deal with the final stages of the non-academic staff pay equity initiative, the budget for the Equity Office was $144,425. This amount, for the period April 1, 1989 to March 31, 1990, was for the Equity Advisor position (3 months half-time and 9 months full-time), a secretary (3 months half-time and 9 months full-time), a research assistant (10 months half-time and 2 months full-time) and a summer student (4 months).

Professor Badir believed that, during her time as Equity Advisor, she had the support of the former President and other members of the senior administration for her work on equity issues and towards the implementation of the contract compliance program. She did acknowledge, however, that although there was endorsement for her personally, there was no parallel leadership activity on the part of senior administrators to move the matter of employment equity forward within the jurisdictions for which they were responsible:

> In my presence ... the Vice-Presidents in meetings that they chaired, or the President in meetings that he chaired, always said, "Doris is here to talk about this and it is a good thing and we want to make it happen." But getting the kind of commitment from them that carried to the next step, or

> having them say more than that never happened.
>
> To say that equity is a good thing is the kind of commitment we got ... but to be committed, i.e. to carry it to the next layer so that you said, "now I want commitment from you..." Supposing the Vice-President (Administration) went into Administrative Council and said to the heads of all the service units of the University, "now I want a commitment from you individually, each one of you, that you are going to improve the situation in your setup." That's the kind of commitment we wanted. That didn't exist.

Reasons for the absence of such leadership, Professor Badir speculated, included a lack of understanding about the nature and extent of the social movement to which the federal government was responding. Also, there was an unawareness on the part of President, she thought, of the degree of opposition in some quarters to the principles of employment equity and the necessity, therefore, of putting into place specific mechanisms to ensure that such aims were achieved:

> The rationale behind the government saying we've got to do this was not completely understood. The government was responding to ... societal change but we [the University] weren't ... because we really didn't understand [the magnitude of the desire of disadvantaged groups to participate fully in society]. To the extent that the President felt that women should have the opportunity, it was a "good thing" to the extent that everybody else felt is was a "good thing." But to actually recognize how strong the pressure was and therefore how much more authoritative they had to be in terms of taking the whole notion into the larger arena and fighting the battle ....
>
> [From Dr. Horowitz] we never got a President's statement on equity.... He never published a statement that appeared as "this is the President's belief with respect to equity." I think Myer was to some extent just a little bit naive. He's so good himself, good in the real sense of the word, that I don't think it ever occurs to him that other people aren't and, if it's a good thing to believe in equity, then everybody believes it. Therefore, there's no need to make a statement about it. It's a given that everybody wants this and all we have to do is make sure we've got all the mechanisms in place to make it happen. But the very fact that you have to have mechanisms in place to make it happen means that not everybody thinks it's a good thing.... I think that was a major issue, that we never really ever did get a statement.

Without supportive statements and positive action from central administration, many of the efforts of the Equity Advisor to get units throughout campus to embrace the notion of employment equity were destined to be ineffective. Although she met with administrators from both the academic and non-academic sides of the University, including individual Deans and Chairs as well as Deans' Council, Chairs' Council, Chairs' Executive and Administrative Council, without the backing of the upper levels of the organization, she lacked the authority to influence behaviour. In one example, Professor Badir recounted that:

> The heads of service units ... all come to something called Administrative Council. I met with them on both employment equity at one time and pay equity at another time. They very willingly put me on their agenda, but that's a group of people where you have the feeling that you come in and say things ... and then they go away and do whatever it is they need to do to make their budgets balance, and they don't pay much attention to you anyway. I had no way of putting [on pressure].... As Advisor to the President, you have no authority whatsoever except through the President.

A department Chair emphasized that "the leadership for an issue like this must come from the President" and, if it doesn't, then "you're not going to be able to get these issues on their [administrators'] agenda." Using the example of Deans, he said:

> It's selective amnesia. I mean, they've got their own agendas don't forget. Right now the agendas are striving for excellence with decreasing funds and it's ... "where is the next cut going to come." And when you are in a climate like this, you bring up an issue, no matter how critical it is, if there is any intimation it is going to cost money then you've got a problem.

A former AAS:UA Executive member also spoke of the difficulty created for the Equity Advisor by the lack of support from central administration:

> I just have not seen any indication of University activities to pursue actively, with leadership from the top, discussion around equity issues. I'm sure that Doris must have talked to Deans in Deans' Council ... [and] I know she talked to Chairs' Council because I went a couple of times with her. But it was Doris, it was sort of like somehow ... you can ignore this.

Similarly, a representative of the new Office of Human Rights alluded to the problems inherent in the Equity Advisor's lack of direct influence over those responsible for hiring decisions:

> We had an Equity Advisor who was not attached to our personnel office, had no direct input into personnel policies, who was not attached to the Vice-President (Academic)'s Office where academic hiring decisions are made, and who was sort of reaching over fences trying to say, "in order to comply, you need to do this and this. Would you think about it"?

Professor Badir herself felt that a critical oversight in the delegation of responsibilities for the Federal Contractors Program was in not specifying those of the Vice-Presidents:

> I think that was probably a major mistake at the outset ... that while ... [there was a] person who was Advisor to the President on employment equity, it should have been made clear that the principles of employment equity were to be carried out by or through the authority of the Vice-President (Administration) in the case of non-academic staff, and the Vice-President (Academic) in the case of students and the academic staff. That was never spelled out.

She referred to support given to her by the Vice-President (Academic) and members of his office although, from her description, it appears to have been quite passive in nature:

> It was only because relationships between ... [Vice-President (Academic)] and I, and ... [Associate Vice-President] and I, were very good that any policies at all ever worked with respect to the academic group--like sending out the report forms to the department Chairs. Before those ever got sent out ... [they] determined that "yes, those were okay to send out." I certainly think that I enjoyed ... the support of those two people. I mean real support in the sense that if I had got into any difficulties, they would have been right there to say "she had the right to do that."... And when the Vice-President got letters complaining about ... equity, they came to me.

Responsibility for the Federal Contractors Program - Equity Advisor and Other Senior Administrators

When the former President was asked why the Vice-President (Academic) had not played a larger part and appeared not to have been assigned a more critical role or at least a shared responsibility with the Equity Advisor concerning the Federal Contractors Program, particularly in light of his responsibilities along with the Deans and the AAS:UA for academic staff employment policies, he replied:

> I have no explanation for that. I would think primarily because he chose not to be any more actively involved than he was.... He was fully informed, he knew what was going on, he helped to shape the final decision as did the other Vice-Presidents because ... we are talking about a matter that gets into each Vice-Presidency.... If any one of the three feels that he wasn't sufficiently involved, then I suggest that he has to accept the responsibility.... Why didn't I assign it to the Vice-President (Academic)? Here too, it's a matter of style.... My style was not to assign to two or more of my very senior associates very much ... even though most of what we deal with ... tends to cut across these divisions to which I refer.... On

> most matters, one was sort of responsible for carrying the ball and on this, clearly, Doris was.

But while the delegation of responsibility for this task went solely to Professor Badir, Dr. Horowitz responded, "I don't think so," to an inquiry into whether any formal notification had gone out from him to the University community to let them know that "Doris has been assigned to this, she has the authority, she is looking after this area." Without such evidence of commitment and a call for action from the President, Professor Badir was left to try to change the priorities and procedures of the University community using only her own personal ability to influence and convince. That ability was considerable, as attested to by one of Professor Badir's colleagues:

> Looking back at those years, I think it's only afterwards sometimes you realize what someone has been doing.... That was such an important position for her to take because the fact that she'd been a Dean meant that she knew Deans and that they accepted her as an equal.... Doris had already built the respect that was needed and without that in a university ... without being respected by the kinds of people that you have to have influence on, you get nowhere.

Nevertheless, notwithstanding her many efforts to inform, guide and lead on this matter, the level of awareness on campus about employment equity remained very low. A former AAS:UA Executive member described the situation in the following way:

> I walked away at the end of my term with the very strong view that it was only going to be a "two by four" between the eyes that was going to wake people up at the University. What was interesting about the Federal Contractors Program is that by and large amongst the professorate, most people were not even aware that we had signed a letter of commitment. They ... knew nothing about the program or its terms and so there was virtually no discussion on the campus at large about compliance or non-compliance.... In the spring of last year, as part of an incredibly fractious debate within the AAS:UA around equity, I circulated a brochure concerning the Federal Contractors Program to all of the 2,000 academic staff. For most, that was the first that they had ever heard of it.

Another administrator pointed out how a lack of clear direction from the University's executive officers influenced the types of decisions made by Deans and Chairs:

> The rules [regarding staff selection] are that it is a Dean's decision. The staff selection committees cannot bind the Dean, they are advisory only. But what goes on in the debate at the staff selection committee level is

> "what are we looking for" and that can cover a gamut of considerations, including gender. When you get into units where there are no women or very few buried in a large department, that [gender] is unlikely to be raised or pushed or treated very seriously at the staff selection committee level. The only thing that can turn that around is an academic leader, a Chair or a Dean, who is committed to and forces it as a consideration.... The signals from the top have got to be strong, and without that, there is no impetus to it.

Others expressed similar sentiments:

> It seems to me here that you don't have a person at the top who has a strong, heartfelt commitment to the program. And I think without that, it's very hard to move forward very quickly because Deans, of course, sense, "well, he doesn't care about it, as a matter of fact he's opposed to it, so why should we weigh in on the side of this."

> [The attitude of many administrators such as Deans has been] don't worry about it. It's like a remote disease that they don't know anything about and they don't think they are going to get it. But as soon as we get an auditor in here, and there's some sort of threat that we wouldn't have access to the federal largesse, boy, it would be very well known.

The apparent absence of any substantial involvement by the Vice-President (Academic) and the Vice-President (Administration) in implementing the federal program may have been a result of their disagreement with it, for whatever reasons. On this matter Dr. Horowitz cast some light, revealing that:

> Any difference that I can recall at the Vice-Presidents' level was between ... those two Vice-Presidents on the one hand and the Vice-President (Research) on the other.... Both Vice-Presidents (Research)[18] ... became the advocates or they were perceived as being the advocates for our becoming more and more involved in contract research.... The control of the federal government was going to be in relation to contract research, and I have to share with you what is no great secret that there's a natural difference of opinion between a Vice-President (Research) who is interested in increasing the research activity of various kinds, including contract research, and a Vice-President (Academic) that's very much focused on basic research as well as teaching.

Dr. Horowitz continued:

> We were sceptical, the three of us [Dr. Horowitz, Vice-President (Academic) and Vice-President (Administration)].... But this was not the only occasion where the numerical majority ... felt that we were leaning in one direction but when I reviewed everything, I felt that I was willing and able to make a

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[18] Former Vice-President (Research) Gordin Kaplan and his successor.

> distinction between ... my own view for the University and what in the final analysis seemed to make sense as the University's position.

That the Vice-President (Academic) and Vice-President (Administration) viewed the Vice-President (Research) as more closely associated with the federal initiative was evidenced in their replies at the time each was asked for an interview. An October 11, 1990 telephone message advised the researcher that the Vice-President (Administration) "feels he has not been close to the subject and would prefer not to be interviewed." It was suggested that the Vice-President (Research) and the new Vice-President (Student and Academic Services) might be possible sources of information. Likewise, a November 9, 1990 note from the Office of the Vice-President (Academic) read:

> In reply to your memo, Dr. Meekison again said that he feels he is not in a position to assist you in your research. He advises you to contact the Vice-President (Research).

A colleague of former Vice-President (Research) Gordin Kaplan provided additional indications of his likely support for the University's subscription to the Federal Contractors Program. The colleague spoke of Dr. Kaplan's awareness and concern about the lack of women in university science and engineering programs and of his determination to do something about it, which included the establishment of the Women in Scholarship, Engineering and Science Task Force (WISEST):

> When he decided to set things right, the energy and force behind it was enormous.... He was the kind of person that didn't go halfway on anything, to the discomfort of some of his colleagues, I think.... Also, [he] was a very political animal and I'm perfectly sure he recognized ... that if indeed this Federal Contractors Program worked out, that it could be the greatest ally that the University had for pushing people who were unwilling to move in the direction of hiring more women and having a plan in place.

Commitment of Central Administrators -
Perspectives of Deans and Other Administrators

To inquiries regarding the level of commitment among central administrators towards employment equity and the Federal Contractors Program, the views of Deans and other administrators proved to be quite diverse.

Several spoke very positively of the support of central administrators for employment equity initiatives, although some admitted having felt frustration on occasion when there was a lack of action:

> I think the commitment is there.... It's imperative that the President say he's for employment equity.... I have no reason in the world to believe that [that central administrators] aren't firmly committed to these concepts.
>
> They are very supportive, very proactive in these areas. The President ... the Vice-Presidents are very supportive. I think they would do everything they could to assist in any efforts that I wanted to take to attract a woman staff member ... into this Faculty. I would see that it would get a high priority with them.... [The Faculty Enhancement Program] was an indication of the support of the administration for initiatives that would change the gender balance.
>
> [His] commitment was high, it was genuine, it was principled. He really wanted to make some change for women specifically, and for a lot of groups who were excluded from the University.... It's just that you also had to take into account what he thought ... he could get done vis-a-vis jeopardizing other things he wanted to get done. And that was a calculus that nobody ever could predict. And some people put faith in his commitment only to find out that ... [because of the] politics of the situation, he'd made his own judgement that he couldn't deliver.
>
> In general,... [he] was very supportive almost all the way along. But even he sometimes failed to take a strong stand in some quarters that I wished he would have taken. But he also had a much better sense than I had about what would sell at what time and, you know, maybe he would have lost the whole show if he had said anything more publicly. He often did speak out and make a commitment to correcting a situation ... and some of the things that got done wouldn't have otherwise.
>
> I think ... [his] commitment to fairness, to equity, to women's issues is very high. He is committed to process ... [and] he wanted everything that is accomplished to be arrived at through the proper consultation. You can't, in his view, force the institution. You have to wait for it to come around.... [If you do things to steer the process], it musn't at any time feel that it has been steered or coerced. As I say, his commitment is there but it is never openly expressed. It is expressed through deeds.... He'll make resources available and he will, at times, exercise the issue at meetings.
>
> I do think it is fair to say that on these issues he generally is more deeply committed to them and recognizes the need for the University to be onside and playing ball [with the federal government] in a way that some others ... don't.... [He] has ... a fairly genuine and principled commitment to proceeding with many of these issues.

Others held the view that while there was support for equity among senior administrators from the perspective of their beliefs and values, the likelihood of them initiating any positive action was less certain:

> I would say fairly strong in terms of employment equity, very strong in terms of equity in general. I've seen many decisions taken ... [on behalf of individuals where] the fairness probably cost the University quite a lot. So, in that sense, I think that the values of the University are fairly good. In terms of employment equity ... to what extent would that be translated into very specific policies and actions, I don't really know.
>
> Now, the advocacy in public leadership role, to me, wouldn't be as visible at that central administration level.... I think you find the majority of the administrators saying "yes, this is a reasonable policy, we'll ensure that it is properly carried out" but they really haven't been out there trying to persuade the community.
>
> Some of the behaviour ... might look more like "this is the appropriate thing to do." That doesn't say he doesn't hold that at a personal value level ... but the way that he chooses to manifest that commitment ... may seem to come across more as "this is sound policy and practice and therefore I'll be congruent with it." Where that may lead ... in terms of approach ... may be more "I will respond and be in harmony with what is out there but I won't necessarily be seen to be the initiator."

The notion was expressed as well, however, that support from various senior administrators originated more from political and pragmatic considerations than from heartfelt commitment. As one said, "I've always got the impression ... that it's politics, it's not from the heart but it's politics":

> He strikes me as being more pragmatic ... and "if equity is necessary to make this place run, then equity is necessary.... If we've got to have ... an equity statement in place to fit the federal grants, then let's get on with it and ... not argue the fine points of whether of not it is a good thing." So I haven't got a strong feeling how he feels about it because his has been more "we need to do it."
>
> I don't think there's any commitment ... to do anything that one would consider radical about this. He tends to see things much more in economic and financial terms.... I think there's a much more technocratic approach to this and there is an argument and it's a very standard one--we've heard it a million times--that basically employment equity ... is a luxury ... in tough economic times.
>
> I don't think ... [the] commitment to equity issues, to social justice is there. In fact, I think rather the opposite. He has a different set of priorities that basically rests on bureaucratic, technocratic, individual initiative sorts of

> values and he's against intervention or leadership by the senior administration on these issues.
>
> The rhetoric is there. I mean, there's recognition that it needs to be done. I think the recognition stems from the worry about losing money, which is different than a commitment to the issue.

Some suggested that there was a difference in commitment between the past administration and the current one:

> You felt that what ... [the former President] told you was what he believed. I'm quite frankly not convinced that's the case ... in the current time.... I'm not convinced that there is a commitment there ... [and] the leadership for an issue like this must come from the President.
>
> I think they are not all the same on this respect. I think that in the previous administration, we ... had a very high level of commitment to doing something about the equity matter particularly as it related to women.... My feeling is that the present administration is a whole lot less passionately attached to the idea of moving forward on this front.

Opposition among senior administrators to the Federal Contractors Program, according to one person's view, may have arisen out of concern about the extent to which external agencies were placing restrictions on the operation of the University:

> [As a professional Faculty] we get accredited.... The last time I talked to ... about it ... I said "well, we're starting the accreditation process." And he just about hit the roof and went on about how he was so tired of these outsiders coming in and laying down rules for the University. We've never had this reaction about accreditation before; it's just accepted ... [for] professional programs.... So again, that's all part and parcel of this kind of "all these people telling the University what they can and cannot do."

There were different perceptions, however, about the use by central administrators of the principles of academic freedom and university independence as the rationale for taking no action on the Federal Contractors Program:

> [Opposition by the senior administration] is almost always couched in terms of this independence argument, academic freedom, the feds not understanding the unique nature of the university and the collegial--you know, if I hear this one more time, all this collegial stuff--and that is not to suggest that there's not value in that but I think that, at times, it's subterfuge, it becomes camouflage for just a desire really not to have to do anything.

Comments were made also about the past failure of the University to capitalize on opportunities to do something about equity in employment, along with observations that in the current climate of severe budget constraints and central administration's preoccupation with fiscal matters, prospects now for moving forward were severely diminished:

> I think equity had a better chance four or five years ago when there weren't quite so many problems at the University. I have every sympathy for the President and ... I'm not surprised when he turns around and says "sorry but equity for me right now is not the priority."... The loss of budget and the loss of major departments and the cutting of everything under the sun is obviously going to take priority. I just think it's very unfortunate that the University itself has been so slow in moving on equity and so slow in putting into place the kinds of [necessary] structures.

The only first-hand information signifying the position of the Vice-Presidents came from the Vice-President (Research) himself who advised that:

> Our approach to the federal government regulations is that we want to do what is right on campus. If it doesn't fit their guidelines, their position, then we'll have to deal with that when the time arises. But we don't want the federal government program to be somehow skewing our approach to equity and issues like that. One has to remember that those regulations were not drafted specifically for universities--it's for any corporation.... The specific regulations we may feel are not appropriate for a university where they may be appropriate for a corporation. So far, I don't think we have run into anything ... that has caused us any difficulties with the federal government. We may though, from what we've heard with other universities.

Other assertions by various administrators demonstrated their lack of confidence in the leadership and extent of commitment of senior administrators on these issues:

> If you are going to introduce change, all of the literature indicates that you can't impose it, you must involve people in the planning and implementation stages. And the more you do that, the more change will be accepted. The difficulty on this campus is that there is no commitment to change at the top. Whatever public statements there are about a commitment to equality and respect, dignity, in terms of true equity action, there is no commitment.
>
> My sense is that some members of the senior administration of this University are opposed to the Federal Contractors Program and consequently they will move as slowly as possible in the implementation of the program.
>
> My view, to summarize it about our present central administration, is that ... I don't think they're going to go to war on this one.... They'll get around to this one when they get around to it.
>
> I got the distinct impression ... that he was not only not keen on the Federal Contractors Program but that if the feds became too aggressive, he would recommend that the University withdraw from it. Which, I would hope, is

> maybe ... just talking because I think it would be terrible for the reputation of this University, the second or third largest university in the country, to be seen withdrawing from the [program].... My hope is that they don't shoot themselves in the foot. That's my fear that that's what we're about to do if the ... comments are taken seriously.
>
> When you look at the power structure at the University, what you have is a President who can't publicly say it but is opposed to the terms of the Federal Contractors Program.
>
> At the top you will find degrees of support and commitment to it. There are some people at University Hall who would be more willing to progress towards the Federal Contractors Program than others. But at the pinnacle, you've got a Board of Governors that does not adopt the philosophy of the Federal Contractors Program and frankly, you've got a President that doesn't either.

The Equity Advisor offered her own insights as to the new administration's commitment towards employment equity and the contract compliance program:

> I think the universities were primarily concerned about losing their autonomy with respect to what is considered by all university people to be a sort of "inherent right"... to hire their own.... And the new President was very much aware of what that meant in terms of the erosion, to a certain extent, of the university's inherent right to choose its own.
>
> In the one year that I worked with ... [the new President], there was almost weekly contact because I recognized I didn't have the support. I took for granted a kind of support that was there [before] but wasn't active, whereas with [the new President], there was no support and I had almost active opposition at times. There is active opposition to affirmative action being anything more than affirmative action in advertising. So I was constantly trying to push him beyond that ... "you're going to have to set goals, you're going to have to set aims."

Shortly before her retirement, in a farewell speech to the Academic Women's Association on April 4, 1990, Professor Badir disclosed that resistance to the signing of the agreement on the Federal Contractors Program had existed from the outset within the administration and was founded, in part, on the view that the federal government "has no business telling us how to run our own shop," and that "education is a provincial responsibility." She pointed to central administration's continuing lack of resolve on employment equity observing that they still had not spoken publicly about the federal program, something that would be necessary if it were to come into effect.

President's Commission for Equality and Respect on Campus

The President's Commission for Equality and Respect on Campus was established by President Davenport following complaints about various incidents of sexism involving, in particular, University of Alberta engineering students. The 1990 Report of the President's Commission for Equality and Respect on Campus (University of Alberta, 1990a) advised that the Commission, established "as a response to the complaint against the Engineering Students' Society publication, The Bridge," was given a mandate to investigate circumstances and to identify strategies for contributing to equality and respect on campus.

Among the submissions to the Commission were several that touched on the need for greater representation of women and minority group members among the faculty and the graduate student population, and on the means for achieving this.

In her presentation to the Commission, Equity Advisor Professor Badir recommended that, as an employer, the University should undertake aggressive recruitment activities at both the academic and support staff levels in order to address the underrepresentation of women and minority groups, and that "there must also be a diligent and careful selection process to ensure that biases and stereotypes do not enter into the judgements being made." We must actively seek," she wrote, "to redress the imbalances in our workforce."

The Academic Women's Association informed the Commission that it "attach[ed] particular importance to the University's plans for developing and implementing a full-scale employment equity program." Suggested the Association:

> Central to such a plan is the development of realistic, attainable goals for the recruitment and hiring of qualified applicants from the four target groups, to be accomplished within reasonable timeframes. A further requirement, with particular relevance to universities, is to identify and remove barriers to the routes by which members of target groups enter and complete programs that will render them qualified for positions.

The Academic Women's Association decried that fact that "the need for education among employees about the purposes and benefits to the institution of the approach ... was not made a priority:

> Nor has the institution publicly discussed, much less accepted, the development of a plan tailored to this university.... Without an explicit commitment to employment equity for academic as well as non-academic staff, we risk losing to other, more enlightened universities the excellent women candidates we would like to attract.

Another brief discussed the dilemma faced by academic women with families that originates from expectations that academics "make every other demand on their time secondary" such that, when they do not, their commitment to the profession is questioned. The presentation noted the "unfairness of expecting women to live out their working life 'within the clockwork of male careers'" based on unexamined assumptions that normal career patterns consist of uninterrupted years of university education and subsequent employment. The brief advocated the acceptance of flexible work patterns allowing for, in particular, part-time tenure track positions and leaves without pay without fear of sanction.

A Dean spoke to the Commission on the "need to improve in our hiring of women and visible minorities" and on the "minimal progress" that had been made in this regard. She made reference to the unanimous concern of Chairs in her Faculty about these matters and to their adoption of two motions to address them:

> That Chairs and the Faculty continue and augment efforts to recruit qualified candidates in accordance with the University's commitment to employment equity in GFC policy.
>
> The same concern with respect to gender imbalances and minorities be extended to recruitment of graduate students as a means of influencing the available pool of applicants for jobs.

The Dean expressed conviction that it was "time for us to declare specific desires in respect of hiring," observing that although "we do not need top-down quotas," there is a "need to set goals" where such goals are "established by the units themselves, as reasonable and workable."

The President's Commission was aware also of the recommendations put forward in the AAS:UA brief that was prepared for, although ultimately never formally submitted to, the Commission. Among these were propositions that "the university proceed quickly toward the development of an employment equity plan for academic staff." Pointing out that the plan must "define goals," the brief emphasized further that "projected timetables need to be established so that success can be measured." The AAS:UA document addressed as well the issue of systemic barriers, drawing attention to the need for: (a) child care facilities, childbirth and parental leaves, and leave for parental responsibilities; (b) flexible work patterns including part-time continuing appointments; (c) and changes in attitude and in evaluative processes such that staff members' family commitments would not be used negatively in tenure, salary and promotion decisions.

In another brief to the Commission, however, a copy of which was later forwarded to President Davenport on April 27, 1990, members of the "Merit Only" Group stated that "claims of discrimination against women on this campus in hiring do not stand up to scrutiny. There are many contradictions between the rhetorical claims and the real data." The group recommended that "matters of equality in employment be dealt with by an elected committee comprised of [sic] a representative selection of staff members, instead of by an appointed individual." The "Merit Only" Group's brief was transmitted to the President as background for a May 4, 1990 meeting of group representatives with the President "to discuss issues related to the President's Commission for Respect and Equality [sic] on Campus."

In the President's Commission's final report, among specific recommendations for policies and procedures to promote equality were several having to do with the implementation of the Federal Contractors Program (Figure 8.1). These asked for clear statements of commitment from the University administration, the setting of appropriate goals to increase the representation of disadvantaged groups, and the provision of necessary resources to fulfill the requirements of the federal program. The Commission advocated moreover that the administration and the AAS:UA address, in the Agreement

Figure 8.1

Recommendations Associated with the Federal Contractors Program and its Implementation by the President's Commission For Equality and Respect on Campus

2.1.1 Direct the administration to make a clear statement of the University of Alberta's commitment to address imbalances in the participation rates of various disadvantaged groups in our workforce.

2.1.2 Communicate widely the currently approved University of Alberta policy with regard to the recruitment of disadvantaged groups. This should include a clear discussion of the difference between equality of opportunity and equity in employment.

2.1.3 Require the administration to move immediately towards the further implementation of the Federal Contractors Program. This will require the setting of appropriate goals which would ensure better representation of disadvantaged groups at the University.

2.1.4 Commit the necessary University resources to fulfill the requirements for compliance with the Federal Contractors Program.

2.1.5 Develop a policy on selection and hiring procedures. In the context of the goals for each faculty, department or school established in 2.1.3, the policy developed to implement such goals should reflect the principle that qualified disadvantaged group members should be hired unless there is a candidate who is demonstrably better qualified for the position.

2.1.6 Require that selection committees report to the Vice-President (Academic) and Equity Officer on the process and outcome of all academic selection procedures.

2.1.8 Encourage the administration and the AAS:UA to complete the portions of the Agreement Review which relate to assignment of work, standards of evaluations, career cycles, and progress. This review should include the development of alternate model career cycles and appropriate evaluative mechanisms for these cycles.

2.1.9 Charge the Agreement Review Committee with evaluating the appropriateness and flexibility of current Faculty Salaries and Promotion Committee and Tenure Committee guidelines to handle diversity in career paths. This should include, but not be limited to, a reconsideration of the requirements for tenure and promotion.

2.1.18 Coordinate policies and procedures for re-defining "career paths" in terms of tenure, promotion, leave, etc.

(University of Alberta, 1990a, pp. 26-27) review process, the issues of alternative career patterns and diversity of career paths.

Among the most significant and potentially controversial Commission recommendations was one calling for a policy on selection and hiring that would take into consideration the "principle that qualified disadvantaged group members should be hired unless there is a candidate who is demonstrably better qualified" (2.1.5).

Asked why a specific reference to the Federal Contractors Program had been made by the Commission, a Commissioner replied during an interview that it was because of the congruence between the ultimate objectives of the federal program and those that the Commission wanted to see achieved on campus:

> We thought it was one strategy by which the University could be encouraged to work toward a more representative workforce.... We had already entered the first stage of that program, therefore it made sense to us to encourage the University to move forward in that process and attempt to achieve the objectives ... which are the objectives the Commission felt, ultimately, are to be achieved here on this campus. We had no reason to believe that this was not a good means by which at least to begin this process of transforming our workforce ... and we heard from [people] on campus that ... felt this was the preferred strategy.

The Equity Advisor remarked on the importance of the Commission's recommendations, believing that they constituted the real essence of the report:

> They were incredibly powerful recommendations and the fact that they moved well beyond the issue of violence against women and the moved into the whole realm of equity and brought it into the mainstream of University politics. The fact that the Associate Vice-President (Academic) has had more to say about equity since ... July, 1990 ... tells me that that's where it ought to be now. It's in the mainstream of the decision making process.... Those two offices [Vice-President (Academic) and Vice-President (Administration)] have got to be involved because there is a personnel element to both of them, and I think that's the mistake that the President made.

Commission Chair Dr. Dianne Kieren was reported in the February AWA News (Academic Women's Association, 1991) as commenting that it remained to be seen how much action would be taken on the President's Commission recommendations. She said that she felt some hope and some trepidation, remarking particularly on the challenge associated with getting any action "when other difficult issues are facing us; budget difficulties, heavy workloads, economic instability." Later, at an April 6, 1991 Canadian Association of University Teachers' (CAUT) Status of Women Committee conference on employment equity, Dr. Kieren highlighted the need for leadership from senior administrators in order to achieve the goals of the Commission:

> This report has focused attention toward the administration on some of the things that need to be done.... The Commissioners believed that it had to be top-down leadership; without that kind of leadership, it's not going to succeed.

She spoke also of the necessity for groups and individuals on campus to continue to remind the administration of the Commission's recommendations if there was to be any hope for action:

> If we are truly going to do some of these things from the administrative level, the administration needs to have these matters kept to the fore. In order to see that action is taken at the administrative level ... there have to be groups on the campus that are putting this in front of the administration ... constantly.

But another administrator, in estimating the likelihood of action in response to the Commission's recommendations observed that, "you'll notice recently that the whole President's Commission thing has been lost. This has just been lost sight of in the budget [crisis]."

The Office of Human Rights

The decision to establish an Office of Human Rights was not reached, as was reported, after the release of the Report of the President's Commission for Equality and Respect on Campus (University of Alberta, 1990a) even though the announcement about the creation of the Office was made at that time. Rather, the actual decision had been made several months earlier, following meetings of a group of concerned academic staff members with the President about the future of the Equity Advisor position in light of the impending retirement of Professor Badir.

One of the members of this *ad hoc* group described the process in the following way:

> A group of us met last year, in the context of the President's Commission being formed and the imminent departure of Doris Badir, ... to say we needed to intervene here, we needed to do something. Once we'd had a discussion and wrote to the President ... he met with us twice. And we were a group of 12, 13 people ... relatively well known to him.... Not a group he could disregard. We had two long meetings with him and we saw the first meeting as basically educating him as to the current mandate of the Equity Advisor because ... he was new that fall [and] there was a lot he didn't understand about Doris' position. But also out of concerns about the replacement of it. The upshot of that was a proposal that we, as a group, put together based on discussions that we'd had with him. He made it quite clear that he couldn't see being able to get through a budget item that allowed for three full positions to be sexual harassment, equity advisor and ombudsperson. We asked for three full positions. He said "all three of those things need to be done, it's got to be done by one person." We said "no, it just can't be done." It finally got negotiated up to one and a half [positions]. He basically encouraged, I mean, he did explicitly say "why don't you present that to the Commission." He went ahead and acted on it even before the Commission filed its report. He had made up his mind that's how it was going to be.

Meetings between the President and the ad hoc group about the future of the Equity Advisor position were held on January 18, 1990 and February 15, 1990. Shortly after the second meeting, the group sent forward a "Proposal for an Office of Human Rights" to the President's Commission for Equality and Respect on Campus. They agreed in the document that while it would preferable to keep the two areas of sexual harassment and equity separate, "it is possible to combine the areas providing that certain principles and distinct areas of responsibility are maintained." As to the structure of the office, the group proposed that:

> Housed in the Office of Human Rights would be a DIRECTOR who would report to the President of the University of Alberta, and be responsible for overseeing all policies, programs and initiatives related to human rights on campus. There would also be an EMPLOYMENT EQUITY OFFICER and a SEXUAL HARASSMENT OFFICER, both of whom would report to the Director.
>
> Ideally, we would like to see three full-time people in this office as well as adequate support staff. However, given our current budget difficulties, we are proposing that initially .5 FTE be designated for each (Director, Sexual Harassment Officer, and Employment Equity Officer).... We recommend a full-time administrative assistant/researcher for the Office.

> We recommend that $130,000 to $140,000 be allocated initially for the Office of Human Rights.

Interestingly also, although the August, 1990 notification about the creation of an Office of Human Rights attributed this action as being a response of the President to a President's Commission recommendation (University of Alberta, 1990b), in fact, the President's Commission did not make this specific recommendation. Rather, as one of the Commissioners outlined, the Commission had suggested that a review be undertaken to determine what the mandate of a human rights office might be:

> We ... recommended that there be a rationalization of a lot of the rights advising groups on campus because one of the things we heard was that people in many situations got the run around--they were told "you go here, you go there."... I think the Commission felt that it would be a good idea if we indeed put in place a human rights office where people would go at least as a first step.... What we wanted was somebody within the University to do that kind of comprehensive study to determine exactly what should be within the mandate of a human rights office, what should be housed within a human rights office and what could remain, if you like, free-standing in other pre-existing agencies.

The actual recommendations in the Report of the President's Commission for Equality and Respect on Campus (University of Alberta, 1990a, p. 29) regarding an office of human rights were written under a section on "Support Services," as follows:

> 3.2 Implement immediately a full review of student and faculty services related to the issues of equality and respect. This should ... assess the nature and quality of these support services and determine whether there are duplications or gaps.
>
> 3.4 Apply the results of this review to develop a plan for the establishment of an appropriately funded, centrally placed Office of Human Rights. Consideration should be given to the inclusion of personnel who could handle the full range of issues in this domain. These include, but are not limited to, general issues of equity in hiring; work, gender, and sexual harassment; and racial discrimination.

A September 20, 1990 advertisement in Folio (University of Alberta, 1990c), for two Human Rights Officer positions, advised that the newly established Office of Human Rights replaced "the two offices previously responsible for sexual harassment and equity matters" and reported to the Vice-President (Student and Academic Services).[19] The Office of Human Rights' overall mandate, the advertisement indicated, was to "participate in the development of policy and procedures on a full range of human rights issues," "advise members of the University community who have problems involving discrimination ... including sexual harassment," "facilitate case resolution," and develop and deliver an educational program about human rights issues." In addition, the Office "will assist in coordinating the efforts of the vice-presidents in the areas of federal contract compliance hiring."

Although it was beyond the scope of this study to examine the activities of the Office of Human Rights, several of those interviewed had preliminary thoughts and comments about what they perceived as the Office's chance for effectiveness.

An Associate Vice-President pointed to positive developments in the area of funding for the Office:

> This year the Human Rights Office got hard funding.... They had a certain amount before and now they've got a second half to that.... The commitment made by the President last year when the [President's Commission] report came in to establish the Human Rights Office was a commitment with some funding ... and so that second half has been put in the budget this year and, believe me, that's a sacrifice because you know the kind of budget we have this year.... So there's some commitment to the continuity of the office and it is an increase of what we had in the past.

However, a department Chair commented on the inadequacy of the funding for these undertakings:

> If you had an organization with 30,000 people, what sort of office staff would you have to cover things that we have just talked about--sexual harassment, human rights, contractual things with the government? You wouldn't have one and a half people. You would probably have ... [more] but that would cost money.... When it comes down to it, one can say, "we've done something about it, we've got an office, we've got a Vice-

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[19] The new position of Vice-President (Student and Academic Services) was established in the early part of 1990 and was reported as being responsible for the Registrar's Office, the Libraries, Computing Systems, Student Services, the University Press, Housing and Food Services, the Archives and Collections, Printing Services and the Bookstore (University of Alberta Alumni Association, 1990).

President in charge, and is that good enough"?

Others were concerned that part of the mandate of the Office of Human Rights was ensuring compliance with the Federal Contractors Program. They believed this to be more properly a responsibility of the Vice-President (Academic), because only that person could influence Deans and Chairs about academic hiring and promotion practices, and the Vice-President (Administration). In the same vein were several other observations that anyone charged with the responsibility of developing an employment equity plan must have sufficient authority and respect within the academic community in order to do so. The need for leadership from the highest levels of the organization was also recognized:

> [The Federal Contractors Program] could be a very good opportunity for us to work through something on this campus in a very positive way and there are groups that could provide some leadership along those lines, but it has to be initiated somewhere. Right now I don't know where it's going to be initiated because it is really an academic matter.
>
> The Human Rights Office is really an office to implement policy in some sense, maybe to make suggestions about policy. But we need to have the development of that policy, of something as broad as that, that's got to come at the higher levels of administration. And I think that hasn't been started yet and it probably will have to be started fairly soon.... They [Human Rights Office] can assist in the process but I think the initiation and the commitment has to come at the upper levels, to direct what is going to happen.
>
> It seems to me that if you are going to apply the principles of equity across the board, you've got to have somebody that has the authority to deal with both the non-academic staff personnel office and the academic staff personnel office.... The Office of Human Rights is not sitting in either of those offices and it is not sitting somewhere where it has authority over either of those offices. Instead, it is reporting to another Vice-President altogether.
>
> That Vice-President [Student and Academic Services] won't be able to do anything with the federal government but recommend to her boss, who is the Vice-President (Academic).... For matters academic, she would certainly have to work closely with the Vice-President (Academic).... I'm not sure whether she could work directly on anything like committing the University to a program without working through the Vice-President (Academic). In fact, of course, the Vice-President (Finance) ... has to get involved because there's money involved.
>
> At the moment there is something in place which says "when a person is hired within a department, you will let the Equity Officer know all of the

> applicants and why you chose the ones you chose, and why you didn't have more women on the short list" and all the rest of it. I know that Chairs and Deans are just not going to do that unless they have an awful lot of respect for the person that it's to go to. They're just going to say "sorry, I haven't the time."... Doris got it because of her own personality and because of the respect with which she was held. It is not going to happen now.... The only person that can make it happen is the Vice-President (Academic) ... if [he] gets behind this thing enough and says "this must be put in place and we must have this kind of information."

An Associate Vice-President, however, in reference to the responsibilities of the Office of Human Rights for the contract compliance program, made no mention at all to the role of the central administration in this endeavour:

> With ... [Director of the Human Rights Office] coming in I'm sure he'll take it over and he's very energetic and he's got a lot of good background, a lot of good ideas so he will run with it very well I'm sure.... Whether we meet the standards of the feds is another question. I don't really know whether we're moving fast enough, far enough on this thing and that's going to be ... [the Director's] job to make sure that we do.

Concerns were raised as well that among the numerous responsibilities of the Office of Human Rights, certain matters would have to take precedence leaving longer term issues such as employment equity in the background:

> If you are working on some policy ... and if a sexual harassment case comes in, you've got to deal with it. That was the fear that we had when we discussing the formation of a new Human Rights Office.

Overall, both optimistic outlooks and those less so were evident pertaining to the Office of Human Rights. A member of the ad hoc group that put together the original proposal acknowledged that it was done out of fear that nothing would happen to replace the Equity Advisor position and that, although the structure and mandate they had suggested were not ideal, they felt it was better than nothing at all:

> [Doris Badir] was one of the driving forces. She and ... [others] were the ones that really were driving to get something together and I think those conversations with the President at the time were very important. He had a little less in his mind than ... [what we have] right now. So if we had waited, the chances would have been zero [for getting an office established]. But the way things have gone, I think is the way probably all of us recognized that they could go and hoped they wouldn't.

Senior Administrators' Statements on Employment Equity

The first public statement by a University of Alberta President explaining the University's employment equity policy was made by Dr. Paul Davenport shortly after he assumed office in the summer of 1989. President Davenport's statement came, after he received the Report to the President of the Pay Equity Review Committee (University of Alberta, 1989m), in the form of a letter to the Chair of the Review Committee. The substance of the letter was reprinted in the September 22, 1989 Folio (University of Alberta, 1989l) as part of a special feature on the subject of employment equity at the University. The excerpt quoted below portrays one aspect of what the President referred to as the "three distinct parts of the equity issue," which he considered to be employment equity, job classification and pay equity:

> I should like to begin with a strong reaffirmation of the commitment of the University of Alberta to Employment Equity with regard to all positions at our institution. Among the many initiatives of our Employment Equity program, I would focus on four as particularly important in supporting the University's objectives:
>
> 1. Non-discriminatory employment practices: we at the University of Alberta are committed to the rigorous application of The Alberta Bill of Rights, The Alberta Individual's Rights Protection Act, and The Canadian Charter of Rights and Freedoms, which forbid discrimination on the basis of sex, race, and other such personal characteristics.
>
> 2. Hiring and promotion policies based only on qualifications: we promise candidates for positions ... that they will be evaluated only on the basis of relevant qualifications for the job. Gender and other personal characteristics will have no role in decisions on hiring, promotion and tenure.
>
> 3. An aggressive policy of seeking applications for positions from under-represented groups: the groups generally cited for special consideration are females (or males in certain departments or jobs), native peoples, visible minorities, and the disabled. For example, we should seek out female candidates for job areas in which females are significantly under-represented, always with the understanding that the best qualified applicant will be offered the job.
>
> 4. A fair structure of job classification and pay: our job classification and rates of pay should recognize such factors as the requirements of the various jobs; the particular structure of the university, which is unlike the hierarchical organization of private corporations; and the market forces which influence pay scales. Gender and other personal characteristics

> should have no influence on the rate at which any employee is paid.
>
> These policies deserve several comments. The first policy simply states that we will follow the laws of the land. The second policy is embodied in article 48 of our General Faculties Council Policy Manual. The second policy is in fact fundamental to everything we do in a distinguished university: our commitment to excellence and academic freedom would be meaningless if we knowingly hired inferior candidates for particular positions.

Later that same year, on November 27[20], the President again addressed the matter of employment equity (University of Alberta, 1989v), this time as a response to the debate in the campus media and elsewhere concerning the hiring of five women by the Department of English. He reiterated the same four principles reported in the September 22 Folio (University of Alberta, 1989l), stating that they represented "our approach to the hiring and employment of both academic and nonacademic staff." He reasserted the position also that "we assure all applicants that the best qualified applicant will be offered the job," indicating that "this policy is supported by all of our senior academic administration, including the President, the Vice-President, and the Deans."

In February of 1991, the University first heard, on an informal basis, that the federal government would be asking to review the employment equity plan which the University had agreed to develop four years earlier. Later, a May, 1991 letter was received from federal officials formally requesting to see the plan. To the University's reply that there was as yet no plan in place, the federal government provided the institution with a twelve month extension in which to prepare the necessary documentation.

Shortly thereafter, President Davenport wrote a June 19, 1991 open letter to all University employees (Appendix M) advising that "the Federal Government has requested that we provide them with a copy of our Employment Equity Plan by May of 1992." He referred to "the University's certification under the Federal Contractors Program in 1987" noting that "in becoming a signatory to the program, the University of Alberta committed itself to designing and implementing an Employment Equity Plan which will, over the next ten to fifteen years, make our workforce more representative of the surrounding community." He went on to emphasize, however, that "the filling of vacancies is, and will continue to be, a process based on qualifications" and he promised that "our initiatives in employment equity will incorporate this fundamental hiring principle." He gave notice also of the formation of a President's Employment Equity Implementation Committee whereby he had "attempted to ensure that all the major players in the development of employment policies at the University" were involved. Committee members listed were:

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[20] A more complete report of the President's remarks to General Faculties Council on November 27, 1989 appears in Chapter 6, pages 175 to 177, of this study.

Chair (Representative of the President)
Representative of the Board of Governors
Representative of the Association of Academic Staff
Representative of the General Faculties Council
Representative of the Non-Academic Staff Association
Representative of the Vice-President (Academic)
Representative of the Vice-President (Finance and Administration)
Representative of the Deans' Council
Representative of the Chairs' Council
4 Representatives at Large - to be appointed by the President

President Davenport's letter marked the second time only, since the March 1987 signing of the agreement, that a President or any other University senior administrator had specifically referred to the Federal Contractors Program in a public communication. The first reference was made by President Horowitz in his March 11, 1988 report to the Senate at which time he observed that "during the last year the University has underlined its commitment to equity by agreeing to comply with the requirements of the Federal Government Employment Equity Act" (University of Alberta, 1988a).

Interestingly, also, President Davenport's June 19 letter was circulated only shortly after Vice-President (Academic) Meekison's reply was sent to a group of petitioners who had written to the President on April 3, 1991 complaining about the hiring policies of certain academic units on campus. The petitioners' protests concerned what they perceived to be contraventions of General Faculties Council policy by units that were, in one case, using gender as a hiring criterion and, in another, promoting the policy of "hiring members of under-represented groups unless there is a candidate who is demonstrably better qualified."

In a May 6, 1991 response to the petitioners (Appendix J), the Vice-President (Academic) wrote that the instances cited did not, in his view, represent a departure from university policy. His interpretation of Section 48 of the General Faculties Council Policy Manual was "that when candidates are essentially equal ... then selection committees are encouraged to recommend the female candidate or one from any other of the underrepresented groups." Rather than violating GFC employment principles, including that for hiring based on merit, Dr. Meekison emphasized that such a policy was very much in accordance with the intent of the principle which "establishes a commitment on the part of the University with respect to the amelioration of conditions of disadvantaged individuals or groups within the system." While this latter principle does not override any of the others, he indicated, it must be taken into account "or else there would have been no reason for GFC to have agreed to its insertion."

The Vice-President (Academic)'s argument suggested that, indeed, characteristics of disadvantaged groups such as race, gender and physical ability could be considered in hiring decisions under existing GFC policy. However, this view directly contradicted the President's interpretation that "gender and other characteristics will have no role in decisions on hiring, promotion and tenure."

Other administrators including the Vice-President (Research) felt it was quite evident that the President was supportive only of equal opportunity policies and not of any additional measures other then special recruitment efforts:

> The President ... certainly has said on a number of occasions when talking to different Councils, that the University policy is one where it's equal opportunity but that we should take those extra steps to try to find outstanding candidates from the disadvantaged groups.... Where you give a definite advantage to a particular group, this University has not, I don't think, subscribed to that position.
>
> Senior administration's view, at least the President's view, is that what we

> are dealing with here is the provision of equal opportunity but that we are not talking about any other kind of special measure to ... assist in increasing the numbers of women or the physically disabled or whoever ... [in] academic positions.

The reasons why and the way in which the President arrived at his position regarding special measures was the subject of some speculation. A few administrators, at least, felt that he had been influenced by a vocal and powerful minority of University professors who have opposed any efforts whatsoever, except those promoting equal opportunity, to address the concerns of disadvantaged groups:

> There are some very strong opponents on this campus ... [who] are trying to ... create a critical mass of people who are opposed to employment equity and thereby put pressure on the President and the Board of Governors and others to ensure that nothing very much happens.... It does seem to me that these people have an influence out of proportion ... to their actual numbers. And I think one of the reasons for this is that most of the opponents of employment equity on this campus are senior white males ... who hold positions of some authority either in their departments, in their faculties or perhaps even ... on University committees like the AAS:UA ... [or the] Board of Governors. It seems to me that they are able to have a disproportionate influence on senior administrators and the Board of Governors.
>
> I think the President--one of the places he gets support for his position is ... from a group like the "Merit Only" Group.... [It has been] proposed ... that there is an onus on a Dean to prove that a [white] male candidate is demonstrably better qualified and that would be the only situation in which you could hire the [candidate]. My sense from ... the President is he has a great deal of difficulty with that kind of strategy even though it's in place in some Canadian universities. I think he's emboldened in that position because of the support of people in the "Merit Only" Group and [others].

The broader implications of the University of Alberta and other universities not taking a leadership role on societal issues such as this were described by a member of the President's Commission for Equality and Respect on Campus:

> Despite all this stuff about the university being a great leader in society and setting the moral tone, I think that is one of the problems. They lose some of their legitimacy and stature in the community and therefore lose one of the reasons why government should fund them generously when they stop being leaders. When universities are leaders, they may do things and ... say things that the government may not like but, at the end of the day government says, "at least they are out their fulfilling their mandate, telling us where we could go ... how we could be better." And when universities relinquish that role, government says "well, now you're not even doing that

which you said was one of your main reasons for being.... Maybe we don't need to support you."... Universities are going to have to recapture a sense of what their mission is and how they should be going about doing it.

CHAPTER 9

DISCUSSION AND CONCLUSIONS

The purpose of this study was to examine a policy implementation process within a complex organization in order to advance knowledge and understanding about this aspect of the policy process. More specifically, the objective was to determine what factors influenced the process of implementing the Federal Contractors Program at the University of Alberta; to explore the nature and effect of the influence exerted by these factors, in other words, to identify and analyse implementation issues; to suggest explanations, in light of the implementation issues identified, for the relative successes and failures of some of the implementation strategies undertaken; and to comment on overall progress towards the achievement of the federal objectives by the University as of June, 1991.

A second purpose, arising from the first, was to assess the appropriateness and utility of the conceptual framework developed for this research for structuring such a study, for guiding the collection and analysis of the data, and for providing insights and explanations about the progress made towards the implementation of the policy.

The conceptual framework focused specifically on implementation, segregating it for purposes of analysis from policy making and policy evaluation stages of the policy process. As such, the model was in keeping with Van Horn and Van Meter's view that the goal of implementation analysis is to "derive explanations for the events and factors that intervene between the articulation of a ... policy and the results that occur" (1976, p. 46). It was constructed based on the work of researchers who explored the notion that successful implementation requires the selection of strategies that are appropriate to the particular implementation situation. Further, it illustrated the contingency aspect of implementation, suggesting that strategies must take into account both the policy and the context, including the impact of any previous strategies on the context.

The framework modelled a process whereby, from an examination of the elements of the policy itself (for example, objectives, requirements, resources, enforcement mechanisms, communication) together with contextual factors comprising the implementation environment (such as history, climate, governance, leadership and resources), implementation issues and problems can be identified. And once these issues and conditions are ascertained, then approaches to deal with them can be designed. The framework recognized also that as measures are introduced to realize policy objectives, the context may be changed in ways that make it more or less receptive to the policy, and that new strategies may have to be devised that take into account these changes.

Because of the concentration of the investigation on process and context, and on the strength of evidence substantiating the usefulness of the case approach for examining single systems, a case study was undertaken. Focused interviews with key informants together with documentary evidence comprised the major sources of data for the case study. The qualitative data gathering and data analysis strategies used were intended to provide insights and explanations for the events that took place and for the overall progress towards the fulfilment of the federal criteria.

Historical Context

Students of implementation have observed that innovations in policy that fail to build upon or to take into account "what has gone before run the danger of significant opposition, technical breakdowns, and unintended consequences" (Mann, 1982, p. 6) This is because policies "seldom drop put of the sky" but reflect an evolutionary process in which certain learnings have taken place and reactions to change or new demands have been made by those affected. Thus, observed Wildavsky (1979), "doing without history is a little like abolishing memory" (p. 38). The result is that "old quarrels become new conflicts" and, "as mistrust grows with conflict, willingness to admit, and hence correct errors diminishes."

Provincial Context

The Province of Alberta's history with respect to special programs to assist disadvantaged groups in relation to employment is somewhat different from that of other jurisdictions. As early as the 1970s, for example, consideration was given in Ontario to voluntary affirmative action measures within the public service. Other provinces engaged in similar deliberations such that by the early 1980s, Alberta was the only province in Canada without provisions in its human rights legislation allowing for special measures to improve employment opportunities for disadvantaged groups.

The concept of special measures embraced by other jurisdictions at that time did not necessarily encompass preferential hiring but, instead, referred to a range of potential strategies and programs to remove barriers and improve opportunities for certain groups.

Until 1985, Alberta's Individual's Rights Protection Act disallowed programs aimed at specific groups except those exempted from this statutory restriction by the Lieutenant Governor in Council. Behind such legislation was a concept of equality as meaning equal treatment or treating everybody in exactly the same manner. There was reluctance towards recognizing the particular problems and needs of certain groups of people or designating specific groups as requiring special assistance. This view was symbolized by the comments of the Labour Minister of the day who referred to such activities as "social engineering."

As a consequence, much of the climate in Alberta towards special programs and, afterward as the term came into common usage, employment equity, was characterized by convictions that:

1. Identifying people by the groups to which they may belong and designating certain groups as disadvantaged are wrong. People should be treated as individuals rather than as members of groups and, as individuals, they should be treated all in the same way.

2. Special programs give unfair advantages to some people over others and constitute reverse discrimination.

3. Special programs and employment equity mean forcing employers to hire unqualified people in order to meet externally imposed quotas.

4. Special programs are against the law.

The Individual's Rights Protection Act was amended in 1985 to allow for special programs (Section 11(a)), thus bringing the Act into conformity with Section 15(b) of the Charter of Rights and Freedoms (1982).

Comments reflective of the foregoing pertaining to the Alberta context with respect to employment equity were made by Jackel (1991):

> The concept of employment equity, as outlined in the Abella Report and federal employment equity legislation, has received a cool reception from Alberta's ... government.... The possibility that women, racial and ethnic minorities or the disabled might constitute historically disadvantaged groups in employment has not been widely entertained.... In bringing the Individual's Rights Protection Act into conformity with the Charter, the provincial government ... introduced an amendment to shield programs designed to ... remedy past discrimination.... This amendment, little known even within universities, has created a challenge to employment equity advocates.... Their major task is to explain this amendment ... to colleagues.... In large segments of the province, terms like affirmative action and pay equity are anathema, being automatically equated with quotas, reverse discrimination and government intervention.... Without the Federal Contractors Program, it seems unlikely that any Alberta university would have accepted the need for a comprehensive plan of action to counteract systemic discrimination. Yet having the federal government wielding the stick does not go down well in a province where Ottawa-bashing is a favourite sport. (p. 15)

University Context

Evidence from the 1970s onwards suggests that it was academic women who provided the impetus at the University of Alberta for the development of policies against discrimination in employment and for equal opportunities for women and other groups. Further, not only did it fall to academic women to identify problems and suggest solutions but often, in order to get changes actually instituted, they had to approach the administration on numerous occasions with reiterations of the issues and renewed exhortations for action.

That these conditions were not unique to the University of Alberta, however, was attested to by Drakich (1991) who contended that academic women have been responsible for much of the progress achieved towards equality on campuses across Canada:

> Employment and educational equity for women have been on academic women's agenda for more than 20 years.... The movement toward equity for university women has been initiated and driven primarily by women faculty on their campuses.... A great deal is owed to academic women activists who, usually at the risk of their careers, kept equity issues for women alive at their institutions and established the context for equity discussions and action. (p. 1)

At the University of Alberta, it was Dr. Jean Lauber who, after conducting a study in 1972, first called attention to the low representation of women among the academic staff and who, with the support of the University Women's Club, convinced the University Senate to establish a task force to investigate the situation for women at the University. Dr. Lauber recounted nevertheless that even after the publication of the 15 recommendations in the 1975 Senate Task Force Report on Academic Women:

> I think nothing would have happened even after that if we hadn't kept pushing. It seemed to progress very slowly indeed but at least we had something to look back to and we could say, "look, University, this Task Force from your very own Senate has said ... and so on." And so, gradually, at least they began to recognize that this was a thing that should have the attention of the University administration.

The lack of progress was borne out in A Ten-Year Review of The Senate Task Force on the Status of Women: Report On Academic Women published by the Academic Women's Association (1985) a decade later. The AWA found that while some of the Senate's recommendations had been addressed, there remained several on which no activity whatsoever had taken place. The group discovered also that in particular instances where follow-up work had been undertaken, no action by the administration on ensuing recommendations had been forthcoming. As an example, although the Committee for the Systematic Review of the Salary/Rank History of Academic Women had recommended in a 1976-77 report that similar reviews be repeated at regular intervals, in fact, this had not occurred. In addition, even though the Innovative Work Patterns Committee advised the University Senate in 1983 that a variety of alternative job patterns could be accommodated within existing policy, the AWA found that these still were not widely publicized and nor were there guidelines and procedures available concerning their operation.

No action had been taken on any of the 32 recommendations of the 1982 William M. Mercer report to the Board of Governors on the Status of Non-Academic Women at the University of Alberta. Further, although not reported by the AWA, the University administration itself had engineered the demise of the General Faculties Council Equal Opportunities Committee through a 1982 GFC Executive motion that the committee be disbanded and "replaced by ad hoc committees appointed by the President from time to time." The Executive's rationale was that GFC did not have "the authority to examine human rights and equal opportunities areas" (General Faculties Council meeting minutes, June 28, 1982).

It is noteworthy that on November 5, 1984, just months before the release of the Academic Women's Association's survey, an announcement was made concerning the creation of a President's Interim Advisory Committee on Women's Issues. This communique marked the first publicly declared commitment on the part of the administration to undertake a comprehensive examination of issues of concern to women including equal employment opportunities and compensation for women. Whether the decision to establish an Interim Advisory Committee was in any way related to the impending release of the AWA account was not pursued in the present study. The timing, however, was interesting.

Moreover, it was only after the release of the Academic Women's Association's April, 1985 review that the President gave notice of the administration's intention to continue the investigation begun by William M. Mercer into whether "there are discriminatory practices ... in relation to our non-academic staff" and to consider policy changes "if we aim to have an environment in which ... individuals receive equal remuneration for work of equal value" (University of Alberta, 1985c). Likewise, it was only succeeding the AWA's study that the University Senate undertook to do its own follow-up review of progress made towards the realization its 1975 recommendations.

Academic women were responsible as well for bringing to the attention of the Association of Academic Staff its failure to represent the views and needs of women. The AAS:UA Womens' Issues Committee, established as a result of this, developed and brought forward to the AAS:UA recommendations on a variety of matters having to do with the terms and conditions of employment for women, including working conditions for sessional staff, ways to accommodate alternative career patterns, permanent part-time appointments, child care, equity in hiring, salaries and promotions, and parental leave. The Women's Issues Committee was instrumental also in the distribution of the booklet Seeing and Evaluating People ("blue book"), intended to raise awareness about the impact of gender stereotyping on employment decisions, and in the preparation of the AAS:UA brief to the President's Commission for Equality and Respect of Campus.

Finally, the idea for what later was established by the Vice-President (Academic) as the Faculty Enhancement Program originated with the President's Interim Advisory Committee on Women's Issues.

Even after the University of Alberta had signed the contract compliance agreement with the federal government, academic women continued to take initiatives intended to move the University ahead towards the institution of employment equity. As just one example, the impetus for the current Office of Human Rights originated with a group of academic women who were concerned that the administration had planned no structure or office to replace that held previously by the retiring Equity Advisor.

It was within this historical context, therefore, both at the provincial level and on campus, that the Federal Contractors Program was introduced to the University of Alberta.

Policy Structure

Most writers on policy implementation have made at least some reference to the influence of the policy itself on the implementation process. Sabatier and Mazmanian (1981) were among those who directed considerable attention to the ability of a policy to structure the implementation process. They identified as a key element affecting implementation the stated purpose of the policy, that is, the problem or condition the policy is intended to address as well as the theory behind it as to the cause of the problem and the degree of certainty that the policy will produce appropriate and effective solutions.

That a policy can create implementation problems when it contains "erroneous assumptions" about the nature of the problem or about how the implementing agency operates was illustrated by Schneider (1982). Likewise, Baum (1981, pp. 48-51) and Mann (1982, p. 18) noted the influence of the validity of a policy's causal theory on its chances of success.

Others highlighted the importance of policy standards (purpose, objectives, requirements), and the communication of these standards in clear and unambiguous ways, for informing implementers about what is expected of them and what goals are to be achieved (Rosenbaum, 1981, p. 64; Sabatier and Mazmanian, 1981, pp. 10-14; Van Horn and Van Meter, 1976, p. 50). Still others pointed out that policy resources, depending on their sufficiency or inadequacy, can predispose an implementation environment either towards or against a policy (Van Horn and Van Meter, 1976, p. 49; Nakamura and Smallwood, 1980, p. 55).

The role of compliance or enforcement mechanisms, including norms, incentives and sanctions, for ensuring that policy implementation takes place was discussed by Van Horn and Van Meter (1976). Among their conclusions was the belief that "the most threatening form of potential ... power is the authority to withdraw or recover funds" (p. 54) from an organization if compliance does not occur. Baum (1981) proposed that in order for a sanction to be effective, it must involve "significant deprivation, and the threat of its imposition must be credible" (p. 55).

Federal Contractors Program

Purpose of the Policy

Descriptions of the purpose of the Employment Equity Act and the Federal Contractors Program were discovered in several federal government publications, including brochures, information sheets, reports and guides for employers. Some of these provided a history of and context for the introduction of employment equity legislation in Canada, making it clear that "the purpose of the legislation is to achieve equality in the workplace so that no member of the designated groups ... is denied employment opportunities or benefits for reasons unrelated to ability" (Canada, 1988b; Canada, undated). Another document advised that the purpose of the Federal Contractors Program is to "ensure that federal contractors ... achieve and maintain a fair and representative workforce" (Canada, 1987a). It elaborated further on the "removal of discriminatory barriers to the employment and promotion of designated groups" and the "establishment of goals for the hiring, training and promotion of designated group employees."

In the present study, it was evident that the "causal theory" put forward by the federal government, that women and minority groups have suffered discrimination, either intentional or systemic, such that they are not represented in the workforce in accordance with their numbers, abilities and qualifications, while clearly articulated nevertheless was not considered valid by at least some members of the University of Alberta's academic community. In fact, a number of those opposed to employment equity expressly charged that there was no proof that discrimination of any sort in matters of employment ever had occurred at the University. Others contended that even if such actions had taken place, employment equity programs incorporating goals and special measures for certain groups were an inappropriate means to rectify past injustices. Those sorts of practices, they declared, constituted reverse discrimination and were unfair and unlawful. Such arguments, which appeared with increasing frequency from about 1986 onwards in a variety of campus communications, revealed elements of strong disagreement with both the causal theory of the federal policy and the appropriateness of the solutions proposed by it.

At the administrative level of the University, on the other hand, the issue of erroneous assumptions about how the implementing agency operates was used on occasion to explain the University's reserve towards the contract compliance program. A Vice-President remarked, for instance, that "one has to remember that those regulations were not drafted specifically for universities--it's for any corporation.... The specific regulations we may feel are not appropriate for a university where they may be appropriate for a corporation." The Equity Advisor also reflected on the suitability for universities of a federal policy that assumes a hierarchical organizational structure in which decisions made at the top are carried out below:

> The university, unlike most other organizations is flat, it's not pyramidal. There is a President at the top and there is a Board of Governors that he reports to but, basically, they can't make decisions unilaterally other than budget decisions.... Trying to make it [Federal Contractors Program] work for the university system is a terrible job, there's no doubt about that. I mean, the decision making process in universities is so different from the decision making processes in government or in private industry ... [where there is] none of this business of choosing our peers or decentralized administration.

Policy Objectives and Requirements

In addition to conveying the purpose of the policy, government publications explain in detail the objectives and requirements of the Federal Contractors Program. For instance, the Federal Contractors Program: Information to Suppliers (Canada, 1987a) delineates five essential steps and eleven criteria for the development and implementation of an employment equity plan. Several others provide advice and technical assistance to employers who are in the process of establishing employment equity programs.

Many of the eleven implementation criteria describe very specific activities to be undertaken by the organization. They include, by way of example, requirements for: a statement of commitment from the organization's chief executive officer; a workforce analysis and the development of an employee data base to monitor the appointment and career progression of designated group members; and an employment systems review for the purpose of removing or modifying policies and practices having an unfavourable impact on the employment status of designated group members. Other criteria allow greater room for interpretation, enabling organizations to respond in ways appropriate for their particular characteristics and circumstances. Specifications relating to the establishment of goals for the hiring and promotion of designated group employees, and for the creation of a climate favourable to the successful integration of designated group members, are examples of criteria which give organizations some latitude for designing strategies that suit their own needs.

Communication

Despite the considerable amount of Government of Canada literature designed to communicate to employers the objectives and standards of the contract compliance initiative, there was evidence that University central administrators were not conversant with the specific features of the program. Former President Horowitz admitted that:

> The details I don't know about.... Talk to the people who really had to come to terms with the requirements, who had contacts with the federal representatives.... I wasn't involved in any of that. I was involved the way Presidents tend to be involved ... one step or more removed ... [from] colleagues who were doing the detailed work.

The Vice-President (Research) declared that the University's approach to the federal regulations was one where "we want to do what is right on campus":

> If that doesn't fit with their guidelines, their position, then we'll have to deal with that when the time arises.... But everything I hear is that we're well on track as far as meeting those guidelines, or maybe they're not guidelines, they're regulations I guess.

There were disclosures from two Deans also that:

> I don't know what the feds want exactly, and I don't know if anybody

> knows, and that's the problem. I remember ... [the President] talking about that ... at Deans' Council, having exactly the same question.
>
> It has [been discussed at Deans' Council], but not in depth ... not really as an agenda item. It was for information and what we got was this big scare about something that happened in Manitoba. We were told we will have to be very, very careful about what we put in place because if we put in anything ambitious and then we don't meet it, we will be in trouble.

Likewise, an Associate Vice-President, although indicating that he thought the University was taking the correct course of action, admitted that:

> Whether we would meet the standards of the feds is another question. I don't really know if we're moving fast enough, far enough on this thing and that's going to be ... [the Director of the Office of Human Rights'] job to make sure that we do.

Both he and another Associate Vice-President, however, revealed their awareness of the contents of the federal documents in the following comments:

> The scary thing as it turned out was that it was a lot of work. When you look at their manuals, it's really a very difficult process.... To do all that takes a lot of time and resources.
>
> It's a fairly complicated bunch of documents so I think it does take some study.

Note should be made also that at the time of this study, at least four universities including the University of Calgary, University of Ottawa, Carleton University and the University of Manitoba already had submitted employment equity plans to the federal government. This meant that there had to be several university administrators in Canada with firsthand knowledge of federal expectations relative to these plans.

Possible reasons for the apparent lack of awareness among University of Alberta senior administrators about "what the feds want exactly" will be discussed later in this chapter. What is quite clear, however, is that it was not the result of a failure on the part of the federal government to provide information or to communicate the policy objectives and requirements.

Resources

In addition to their various publications, the Government of Canada offers assistance to contractors in the form of seminars, technical assistance and workforce data, and makes available regional consultants whose responsibility it is to provide advice and assistance to employers who are developing employment equity plans.

Nevertheless, a commitment to abide by the contract compliance requirements has significant resource implications for an employer who must then conduct a workforce survey, develop appropriate employee data bases, undertake employment systems reviews, introduce educational programs to change attitudes and create a more favourable work climate, and develop a comprehensive employment equity plan with goals and timelines involving all units and levels of the organization's workforce.

The issue of resources in relation to employment equity initiatives was raised directly and indirectly by several respondents at the University. Their observations suggested that in these times of budgetary restraint, employment equity was likely to remain something less than a priority concern.

On the matter of establishing computerized data bases, for example, an Associate Vice-President volunteered that:

> Our problem will be to get enough money to man the data base. These are very tough times.... To enter all this information is going to be very time-consuming. So this is not the best time in our history to implement things like this.

Another Associate Vice-President acknowledged that efforts to get the appropriate data bases established had "started a long, long time ago" but that it was a situation where "somebody had to program this specifically and then get the resources to get it up and running." She spoke of "the kind of budget we have this year" and of the programs "that are no longer going to be here." In this kind of environment, she suggested, it was a significant accomplishment even to get hard funding for the Office of Human Rights.

Others offered similar comments on the difficulties of moving forward on equity in a climate of fiscal restraint:

> I'm not surprised when he [the President] turns around and says, "sorry but

> equity for me right now is not the priority."... The loss of budget and the cutting of everything under the sun is obviously going to take priority.
>
> Right now the agendas are striving for excellence with decreasing budgets and it's all, you know, "where's the next cut going to come." And when you have a climate like this, you bring up an issue, no matter how critical it is, if there is any intimation it is going to cost money, then you've got a problem.... You are not going to get these [equity] issues on their agenda because they are going to cost money.

Timelines and Enforcement

The Federal Contractors Program requires a participating organization to "allow representatives of Canada Employment and Immigration access to the business premises ... to conduct on-site compliance reviews for the purpose of measuring the progress achieved in implementing employment equity" (Canada, 1987a). Compliance reviews comprise:

1. A review of documents and records kept by contractors.
2. An assessment of compliance with the program criteria and the results obtained.
3. A measure of the extent of efforts made and performance levels attained by contractors on behalf of designated groups.

In the event that compliance review results are negative, the contractor is expected to "initiate remedial action" within a period of time not exceeding 12 months. A failure to respond in that instance will result in sanctions being applied "including eventual exclusion from bidding on federal contracts."

What the federal government has not incorporated in its review process are any specific timelines between the time of the signing of a Certificate of Commitment or the awarding of a contract to an employer and the commencement of a compliance review. Instead, the guidelines stipulate that "only employers who have been awarded contracts will be subject to compliance reviews" and that "the selection of contractors [for review] is conducted by periodic random sampling of all eligible contractors." Employers selected for compliance reviews, however, "are notified in writing at least 30 days in advance" (Canada, 1987b).

This arrangement was understood at least by the University's Equity Advisor who indicated that "we were just told that from time to time, on an ad hoc basis, we would be audited and we would have to have the information available for the auditors when they came."

The first stage of the compliance review process at the University of Alberta began with the May, 1991 written request from Employment and Immigration Canada to conduct an on-site review.[21] On receiving notice that the University had as yet no employment equity plan in place, the government gave the University an additional 12 months in which to change that situation. Whereupon the University's central administration, for the first time in the four years since the March, 1987 signing of the agreement, made a public statement outlining the intention of the University to meet the terms of the Federal Contractors Program. The notification took the form of a June 19, 1991 letter to members of the University community from University President Paul Davenport advising that:

> In becoming a signatory to the program, the University of Alberta committed itself to designing and implementing an Employment Equity Plan which will, over the next ten to fifteen years, make our workforce more representative of the surrounding community. The Federal Government has requested that we provide them with a copy of our Employment Equity Plan by May of 1992.

It is plain that the absence of specific timelines as to when a plan was expected allowed University central administrators to take the attitude that "we'll ... deal with that when the time arises." That the adminstration felt no particular pressure to do very much with the federal program was illustrated by the comments of others who sensed that it was the administration's intention to delay taking action for as long as feasible:

> I just have not seen any indication of University activities to pursue actively, with leadership from the top, discussion around equity issues.
>
> I walked away at the end of my term with the very strong view that it was only going to be a "two by four" between the eyes that was going to wake

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[21] The Office of Human Rights received verbal notification in February, 1991 that the University had been selected to undergo a compliance review.

people up at the University.

> [The attitude has been] don't worry about it. It's like a remote disease that they don't know anything about and they don't think they are going to get it. But as soon as we get an auditor in here, and there's some sort of threat that we wouldn't have access to the federal largesse, boy, it would be very well known.

The fear of being denied access to certain research funds was perhaps the most significant consideration in the University's decision to agree to participate in the federal program in the first place. Former President Horowitz, for example, recalled that when the program was first introduced the administration was "getting a great deal of pressure from individuals who were being threatened by their contact person in Ottawa in relation to grants or whatever--'you'd better get your university [to sign]'." He said:

> There were all kinds of calls, some from individual colleagues, but some from Deans and Chairmen of units that would have been affected.... I remember some Deans' Council meetings when ... there was a question from the floor, "when are we going to sign?". My general impression is that for a period of time, this was a major topic of discussion."

The former President, the Equity Advisor and others spoke of the concern about declining federal and provincial financial support for post-secondary education and of the perceived increasing importance of any sources of funding that would sustain research activity at the University:

> As the President of a large university that depended to such a large extent on federal monies ... I had to deal with my colleagues who were involved more actively than I was as researchers.... I had to deal with ... the beginning of what has now become several years of decreases in the federal contribution for the regular operation of universities.... So that's why I'm taking a bit of your time in indicating that I don't need a detective to uncover that reality.
>
> One of the things we were afraid of was that the feds would get into research grants rather than just contracts ... and we just couldn't possibly exist if they ever shifted it to that. So we anticipated that they might and we thought we had better get in on the ground floor.
>
> Well, I think we had to sign it if we were to receive contracts of $200,000 or more.
>
> The University had begun to realize that the funding programs from the provincial government were going to be ceilinged ... and keeping their

> research programs going was going to depend incredibly on grants. It became clear that $200,000 grants from the Canadian government were not unrealistic, so we signed and got our number.
>
> I can remember sitting in the President's office and talking about it with them ... with Gordin Kaplan, of course, being a very strong research-oriented person and very strongly interested in getting more research money into the University ... saying, "I think we've got to sign," and everybody else nodding their heads in agreement.

With regard to enforcement mechanisms relative to the federal program, concern about the loss of opportunity to bid on federal contracts, as a primary factor in the University adminstration's decision to comply with the policy, served as a powerful sanction. However, it was not until June of 1991, when a compliance review date was finally established, that the University President publicly acknowledged the existence of the program and the University's intention of complying with its requirements. This was strong evidence that the absence of any ongoing monitoring procedures and specific timelines allowed senior administrators to continue to act very much as though the program didn't exist.

Implementation Environment

Leadership

According to Mazmanian and Sabatier (1981, pp. 17-20) the leadership skills of agency officers, including both political and managerial skills, are among the most critical factors for successful policy implementation. After investigating the implementation of federal mandates in universities in the United States, Newcombe and Conrad (1981) wrote that "administrative leaders provide the pivotal link between government intentions and institutional change" (p. 565) and that progress towards implementation of a mandate is "largely contingent upon the leadership of the central administration." Similarly, Ingram and Mann (1980) concluded that:

> Successful policy requires an important legislator or executive official who controls resources important to implementation and who has the will and

staff to oversee implementation and intervene almost continuously. (p. 26)

Likewise, Williams (1976) viewed the "attitude of management" as being the "first and by far the most important factor in improving implementation" (p. 25). He strongly emphasized as well, however, the importance of clearly delineating and assigning responsibilities for implementation functions. People assume, he concluded, that implementation is someone else's task with the result that responsibility for it "tends to slip between the cracks" (p. 24). The impact of organizational leaders' beliefs and world views on policy interpretation and related agency activity was discussed also by Montjoy and O'Toole (1979):

> Because the interpretation of policy is traditionally a management prerogative, one would expect the organization's leadership to have the first opportunity to deal with the mandate. If the leadership has a coherent goal and world view, we would expect the policy to be interpreted in that light. In the absence of a clear purpose on the part of leadership, it is possible that the opportunity to direct agency activity would be passed on to other actors. (p. 466)

Among the most significant findings of the present study were the lack of leadership and support on the part of University senior administrators towards the Federal Contractors Program and the inappropriate assignment of responsibility and accountability for its implementation. Apparent reasons for this lack of leadership touched on themes primarily having to do with the preservation of university autonomy and jurisdictional responsibility for education.

Former President Horowitz, to illustrate, spoke of his belief that in light of the initiatives already underway for "educating and winning people over" on equity matters, "the federal approach was unnecessary." He felt the University was "moving in the right direction" of its own accord and that what the federal government was attempting was an "intrusion." "I was absolutely adamant," he said, "that the federal government would not dictate to the University what kind of policy the University should have." Elaborating further, he explained:

> I think I should make it explicit that I ... had a strong bias and I knew I had a strong bias and I'm not even going to pretend that specifics, like the matter which is the subject of your study, weren't affected by my strong anti federal involvement in education bias.... [Therefore] to the extent that there was a problem at the U of A, that I was a piece of the problem, I'm not overstating it, I'm just saying the obvious.

Evidently, however, the President's antipathy towards the federal "intrusion" generally was not known to other members of the University community, as illustrated by the views of several persons that he "had a very high level of commitment to doing something about the equity matter particularly as it related to women" and that his "commitment was high, it was genuine, it was principled." Even the Equity Advisor said that she "took for granted the kind of support that was there but," she admitted, "wasn't active," recalling also that after her 1986 report to the fall Convocation, "the reaction from the senior administration was just incredible, just marvellous, you know, 'this is exactly what we wanted, Doris, this was great'."

Discerning the degree of support among the University Vice-Presidents was a more difficult task especially since the two who would have had to play a strong leadership role in order for the federal policy to move forward, the Vice-President (Academic) and the Vice-President (Administration), declined to be interviewed. There were indications nevertheless that these two Vice-Presidents harboured at least some reservations about the program. Dr. Horowitz, for instance, disclosed that:

> Any difference that I can recall at the Vice-Presidents' level was between ... those two Vice-Presidents on the one hand and the Vice-President (Research) on the other.... I have to share with you what is no great secret that there's a natural difference of opinion between a Vice-President (Research) who is interested in increasing the research activity of various kinds, including contract research, and a Vice-President (Academic) that's very much focused on basic research as well as teaching.

One of the Deans recollected an incident where the Vice-President (Academic), having been informed about the accreditation process for one of the professional faculties, "had just about hit the roof and went on about how he was so tired of these outsiders coming in and laying down rules for the University." Another Dean thought the Vice-

President (Academic) had taken the more pragmatic approach such that "if we've got to have ... an equity statement in place to fit the federal grants, then let's get on with it." Still others affirmed that his "commitment to fairness, to equity, to women's issues is very high" and that "this Vice-President ... has ... a fairly genuine and principled commitment to proceeding with many of these issues."

The Vice-President (Research) focused his analysis of the Federal Contractors Program from the perspective of its suitability for the institution and its impact on university autonomy. "The specific regulations we may feel are not appropriate for a university where they may be appropriate for a corporation," he indicated. "One has to remember that those regulations were not drafted specifically for universities ... [and] we don't want the federal government program to be somehow skewing our approach to equity and issues like that." To a question on whether the program was an inappropriate intervention on the part of the federal government he replied, "there might be some sense of that on campus."

What became obvious during the study was that it was not possible to locate exactly where the Vice-Presidents stood on the matter of the Federal Contractors Program. That observation alone, of course, suggests that the degree of leadership any one of them could have exercised on the issue without first clarifying his position would have been considerably diminished.

Perceptions as to the new administration's stance towards the federal program revealed some doubt about the "commitment to equity issues, to social justice." Instead, respondents saw his response as "technocratic" and pragmatic, "not from the heart but it's politics," borne out of the necessity to appear to be doing the right thing. Some spoke of the opposition expressed by the President towards the federal initiative in Deans' Council and of his suggestion that the University withdraw from the program "if the feds became too aggressive." His remarks to certain Faculty Councils that "the current GFC policy is a good policy and as far as anyone should go" also were reported.

These observations were supported by the Equity Advisor's recollection that in the year she worked with the new administration, "there was active opposition to affirmative action being anything more that affirmative action in advertising." She offered the opinion that this stance might have been taken, in part, out of concern about the loss of university autonomy. "The new President," she said, "was very much aware of what that meant in terms of the erosion, to a certain extent, of the University's inherent right to choose its own." It was another person's belief, however, that although central administrators might couch their opposition "in terms of this independence argument, academic freedom, the feds not understanding the unique nature of the university," really "it's subterfuge, it becomes camouflage for just a desire not to have to do anything."

The lack of leadership on and visible support for the federal policy by central administrators had significant ramifications for what implementation activities and strategies could be and were undertaken, and for the relative success of these endeavours. The issue of leadership from the top levels of the organization was critical from the perspective of adding legitimacy and credibility to the University's commitment to employment equity, engaging the commitment of other administrators and organizational members, and encouraging the necessary dialogue, planning and negotiating required to get the implementation process underway.

In their survey of the impact of federal employment equity legislation, Benimadhu and Wright (1991) reported that, in order for employment equity programs to succeed, commitment from top management is essential. Success also was more likely, they concluded, when line managers were incorporated in the planning and implementation, and held accountable. The pivotal role of senior administrators was emphasized as well by persons responsible for the University of Calgary's employment equity program which successfully passed an initial compliance review. The Advisor to the President on Women's Issues at the University of Calgary was quoted as saying that "it also helps ... if you have a university president who backs you whole-heartedly" (Edmonton Journal, 1992). The University of Calgary's Employment Equity Officer was of the same view:

> Thank God, she says, the university has a president like Murray Fraser, who told a meeting of the general faculties council last year in no uncertain terms that they were going ahead with the plan. Employment equity, he said, is not about hiring unqualified people ... but about making the workplace as fair as possible. If detractors didn't like it, he continued, they could figuratively lump it. (Edmonton Journal, 1992)

Responsibility for the Federal Contractors Program at the University of Alberta was assigned by former President Horowitz to the already existing Equity Advisor position, a position that, as recognized later by Professor Badir herself and others, did not have the necessary authority, time or resources to carry out the task. This issue of sufficient authority was specifically addressed in federal requirements stipulating that the chief executive officer's statement of commitment should be "supported by the assignment of a senior level individual with the necessary authority and responsibility to ensure the program's effectiveness" (Canada, 1987). Other federal guidelines, in addition to those for the appointment of a senior level person, recommended that there also be "designated line management responsibility and accountability" (Canada, undated).

In reference to his style of assigning duties among his senior people, former President Horowitz said that "on most matters, one was sort of responsible for carrying the ball and on this, clearly, Doris was." But Professor Badir recognized that "as advisor to the President, you have no authority whatsoever except through the President." She described her position as an "informal arrangement" that "wasn't in a line relationship" in the University administration and which was, and was known to be, a temporary position.

Since it is among the most fundamental of management principles not to assign responsibility for an undertaking to a person or unit who does not have sufficient authority to carry it out, this entrustment to an individual serving in an advisory capacity only, in conjunction with the absence of any delegation by the President of responsibility or accountableness to senior line managers, was significant. On these aspects, Professor

Badir observed:

> I think that was probably a major mistake at the outset ... that while ... [there was a] person who was advisor to the President on employment equity, it should have been made clear that the principles of employment equity were to be carried out by or through the authority of the Vice-President (Administration) in the case of non-academic staff, and the Vice-President (Academic) in the case of students and the academic staff. That was never spelled out.

Dr. Horowitz corroborated these observations concerning the responsibilities of the two Vice-Presidents in acknowledging that "neither was directly involved." A representative of the new Office of Human Rights also commented on the situation with the Vice-Presidents:

> The University committed itself to the program in 1987 but made no conscious decisions about accountability for employment equity.... And since it made no conscious decisions, the assumption seems to have been made that the Office of the Equity Advisor was accountable.... It's the one condition that we could not allow ... to be transferred to us. It was very clear that if you are going to ... look at employment equity from a results perspective ... then accountability has to reside somewhere else.... I think that what we're really talking about is the Vice-President (Academic) and the Vice-President (Administration) with respect to accountability.

Without the assignment nor, apparently, voluntary acceptance of responsibility by the Vice-President (Academic) nor the Vice-President (Administration) for acting on behalf of the Federal Contractors Program, it could be expected that persons reporting to them would receive little communication or direction on the necessary steps for developing and implementing an employment equity plan. Professor Badir, in thinking back to meetings chaired by the President or Vice-Presidents when she was called upon to speak, recalled:

> [They] always said, "Doris is here to talk about this and it is a good thing and we want to make it happen." But getting the kind of commitment from them that carried to the next step, or having them say more than that never happened.

Supposing, she suggested, that the Vice-President (Adminstration) had gone to Administrative Council and said to the heads of all the service units, "now I want a commitment from you individually, each one of you, that you going to improve the situation in your setup. That's the kind of commitment we wanted," she emphasized. "That didn't exist."

Substantial evidence of a similar lack of communication and leadership on the academic side of the University came from the eight Deans who were interviewed. Inasmuch as all had heard of the Federal Contractors Program, many directly from the Equity Advisor herself, not one Dean recollected ever having received information or direction from the Vice-President (Academic) concerning the program's implications for their units or University as a whole, nor about the need for the University to develop a comprehensive employment equity plan in order to comply. Considering that each of the Deans saw the Vice-President (Academic) as his or her immediate supervisor, it is not at all surprising that without an indication from him that this was something requiring their attention, Deans would not consider it necessary to familiarize themselves with the requirements and scope of the program nor to initiate any activity towards compliance. Burdened with heavy workloads and extensive responsibilities already, Deans, in the absence of clear instructions on the priority of this matter, simply would not devote time to its further pursuit. As one person remarked, without leadership from the top, "you're not going to be able to get these issues on their agenda."

Finally, the extent to which central administration was influenced by groups such as "Merit Only" is not known. In one of the earliest interviews done for this study however, a member of the Chairs' Council Executive said of the new President's views towards employment equity, "I'm not sure he knows himself where he's headed in some of these issues. He's been here for just over a year and I think he's still looking around trying to find his feet." If that were indeed the case then it is possible, as a member of the President's Commission postulated, that opponents of employment equity may have had a disproportionate influence on the President in that "most ... are senior white males ... who hold positions of some authority either in their departments, in their faculties or ... on University committees." "I think," was one remark, that "he had some sympathy for their

["Merit Only" group] concerns about the Federal Contractors Program."

Overall, there was substantial evidence that the absence of leadership from central administrators and their unwillingness to serve as change agents, for whatever reasons, were key factors in "institutional progress toward implementation ... [being] intermittent, minimal, and ineffective" (Newcombe and Conrad, 1981, p. 566).

Organizational Structure and Governance

Implementation process investigators have observed that characteristics of an organization such as formal structure, decision making processes and organizational control, that is, the means by which compliance among organizational members with the norms and objectives of the organization is achieved, all can have a substantial influence on implementation efforts. Those who have looked specifically at implementation within complex organizations have discovered that the classic bureaucratic model, wherein rules made at the top are carried out unquestioningly by those occupying the lower ranks, does not apply. Instead, in complex organizations, lower level participants often have or are able to acquire sufficient power through a variety of means to resist efforts to bring about change in the organization.

Baum (1981, p. 46) identified as important factors also the weakness of hierarchical control in complex organizations and the difficulties that higher level participants may experience in controlling the activities of subordinates. Berman (1980) considered the concept of "loose coupling," or the lack of direct coordination and control both hierarchically and laterally among the operating units of an organization, in relation to policy implementation. In loosely coupled systems, he concluded, many of the traditional or programmed approaches to implementation that work well in production firms and public bureaucracies tend to be ineffective, leading "to all too familiar problems of symbolic compliance and cooptation" (p. 219).

Roles and Authority In Relation To Employment Policy

At the University of Alberta, the roles and authority of various individuals and administrative bodies, along with policies and procedures for decision making and for the overall operation of the University of Alberta are described in several documents, including the Universities Act (1990), the General Faculties Council Policies Manual, the Manual of Administrative Policies, Procedures and Services (Governors of the University of Alberta, 1990) and the Board/AAS:UA Faculty Agreement (University of Alberta, 1988).

One of the findings of this study, however, was that there seemed to be a great deal of uncertainty even among University administrators as to who had authority for what decisions and what actually were the roles and responsibilities of certain administrative bodies and offices.

There were several examples of this. Some had to do with perceptions about the roles of the Board of Governors and General Faculties Council. The Universities Act (1990) indicates that a board of governors has responsibility for the "management and control" of a university, including the appointment of officers and employees and, through negotiations with employee associations, the establishment of terms and conditions of employment. The Act also requires that a general faculties council be established "as one of the two main decision-making arms" of a university and which, "subject to the authority of the board," can make recommendations to the board on procedures for appointments, promotions, salaries, tenure and dismissals" (S. 37(1)(o). These provisions suggest that although a general faculties council may make recommendations to a board, the board retains ultimate authority and responsibility for decisions respecting employment policies at the university.

The Federal Contractors Program is a policy with implications for every aspect of a participating organization's employment policies including those for hiring, permanent status, promotions, leaves of absence and various other terms and conditions of employment, as well as for the collective bargaining process with employee associations and unions. Nevertheless, the former President indicated that he never took this matter forward to the Board of Governors for decision. Although recalling that he may have reported to the Board on the federal program as an administrative item, he said "I'm absolutely convinced I did not put the matter before the Board for decision, absolutely convinced."

Likewise, President Davenport, on being asked if he had taken the program to the Board for decision, advised that he had raised the issue of employment equity during at least two different Board meetings, and that he had written "a letter to the Board last year explaining our approach to employment equity." To inquiries as to what the future involvement of the Board might be, he replied:

> I don't know what approval process Dr. Stanford [Vice-President (Student and Academic Services)] has in mind.... I remember an earlier conversation with her where she felt that we had a commitment for employment equity, for example, in our GFC regulations ... and that this was an implementation committee just to carry our existing policy. So I don't know if it is her intention to take the final report to the Board of Governors. On the other hand, if they did that in Calgary and that seemed to be successful, Lois [Stanford] might very well want to do it.

The range of opinion about the role of the Board with respect to the University's decision to involve itself in the federal program extended from an Associate Vice-President's view that "I just don't think it has to go to the Board" to a former AAS:UA President's position that "it would have to be approved by the Board" as provided for under the Universities Act.

Considering the implications of the program for the University, not the least of which are those for the collective bargaining process, it is difficult to imagine how it could be fully implemented without the awareness and approval of the Board. The University of Calgary appears to have recognized this with the result that their Compliance Review Report (University of Calgary, 1990, p. 3) states at the outset that "on May 21, 1987, The University of Calgary Board of Governors approved the University's participation in the

Federal Contractors Program."

A considerable lack of agreement among people's perceptions as to the authority and responsibilities of General Faculties Council (GFC) also was in evidence. The General Faculties Council can, under the Universities Act, make recommendations to the Board on policies for academic appointments and other terms of employment and the Council has, over time and with the approval of the Board, established a comprehensive set of employment policies and procedures.

Nevertheless, no consensus emerged among persons interviewed on what part GFC should play in regard to the federal program. The Equity Advisor and some others thought it was not appropriate for General Faculties Council to make decisions in this area since these were, more properly, management decisions. Several more, however, felt that changes "would have to be made through the GFC because the GFC has ultimate authority to govern the academic affairs of the University." There were indications also that some years earlier the administration had questioned whether GFC had the authority, under the Universities Act, to examine matters such as equal opportunities and human rights unless specifically within an academic context. Minutes of a June 28, 1982 General Faculties Council meeting reported the University President as suggesting that "it was not in the interests of the University for GFC to focus on matters which were not ... within its legislative authority." Finally, an Associate Vice-President remarked that GFC had a role to play "in employment things" but only, "if you look at the Universities Act," in an advisory capacity. "The Act, he said, "has a funny sort of preamble to the powers of GFC. It says 'subject to the authority of the Board.' We don't really know what that means; it's never really been tested."

Possibly it was a result of this uncertainty that both former President Horowitz and President Davenport, up to June, 1991 at least, were able to avoid or felt it was inappropriate to bring the contract compliance program before General Faculties Council for debate or decision. Dr. Horowitz asserted that it was a "very conscious decision" on his part because of his firm conviction that "the federal government would not dictate to the University the kind of policy the University would have." However, there was another view put forward that the administration was fearful about presenting the matter to GFC because of previous "horrendous" and "angry debate" around the 1987 revisions to the General Faculties Council Policy Manual proclaiming the University's commitment to the principle of equity in employment.

General Faculties Council Employment Equity Policies

The research uncovered significant differences of opinion on whether General Faculties Council employment policy, as constituted, was essentially an equal opportunity policy or whether it allowed for special measures to ameliorate conditions of disadvantage for certain individuals or groups. A possible reason for at least some of this discrepancy in viewpoints was furnished by a member of the Faculty of Law:

> I think what has happened, as with so much of the GFC policy manual, is that things get drafted by different people at different times and it's not always as carefully reviewed as it should be for possible inconsistencies, mixed signals, conflicting messages.

Certainly the Equity Adviser and the Vice-President (Academic), as signalled by his May 6, 1991 correspondence, believed that the addition to GFC policy of the principle affirming the University's commitment to mitigating situations of disadvantage was undertaken for the express purpose of allowing the University to take extraordinary steps to remove obstacles and accommodate the different needs of certain groups. It might be argued in fact that references in GFC policy to the Charter of Rights and Freedoms, which constitutionally permits special measures for disadvantaged groups, plus the statement of principle regarding the amelioration of conditions of disadvantage, together with the University's signed agreement to implement the Federal Contractors Program, signified the University's intention to do a great deal more than simply to ensure equal opportunity.

Noteworthy, however, was the limited effort on the part of the administration to resolve this uncertainty around the meaning of GFC policy. Although there were statements by the Vice-President (Academic) on March 23, 1989 and again on May 6, 1991 and by the President in September and November of 1989, the interpretations provided by these two administrators were not in agreement with one another nor were they in concert with other views on campus. With respect to the President's November, 1989 statement to General Faculties Council, there were observations to the effect that his remarks added to the confusion rather than contributed to any clarification of the equity matter:

> [The President] decided he would make statement at GFC.... The statement at GFC said "things are super."... He believed he had made a strong statement .... If it had been phrased as a policy matter, "it is this University's policy to encourage thus and so, and it is my view that that policy is the right policy, and that this University needs to go forward on the matter of hiring women" ... but it didn't speak at the level of policy. [The result was that] the ambiguity in the President's position about hiring was really fuelling the flames ... every little ambivalent sentence he uttered was giving the "Merit Only" boys more room to think that the President was on their side.

Possibly, the ambiguity as regards GFC policy on employment equity was left unresolved purposely, so as not to hinder the undertakings of academic units so inclined to increase the representation of designated group members. Certainly, the absence of specificity gave such units greater scope to choose their own approaches in matters of hiring, as illustrated by the Department of Religious Studies' new policy on job advertisements that "make it clear that we are particularly interested in attracting qualified female candidates" (University of Alberta, 1990d). That this might have been the reason was supported by remarks of an Associate Vice-President who noted that:

> Well, I don't think we'll ever have it [GFC policy] perfectly clear because ... we come with our own history and our own context and I think, at a place like this, we expect difference of opinion.... We need to discuss these things so that we can understand where other people are coming from and often GFC isn't the forum for that.... Some departments ... have set their own goals and, probably, that's a much healthier method.

Another possible motive for such a strategy might have been the desire of central administration to try to have the University meet the federal contract compliance requirements without ever formally acknowledging that this was what was happening. Such a course of action was alluded to in the comment that:

> I can tell you that there are units on campus that in fact follow this [policy that where two candidates are equal, hire the member of the disadvantaged group].... I suspect that that was part of the thinking in terms of the non-development of the plan as well, is that somehow things were going to improve enough that the Federal Contractors people would leave us alone.

Perhaps also, there was fear that no consensus ever could be reached on the meaning of employment equity for the University of Alberta, and that further acrimony and polarization of viewpoints would arise from any additional attempts to initiate dialogue for that purpose.

Nevertheless, in the absence of a general agreement, the opportunity was created for those with different interpretations to criticize and even harass others whom they believed to be promoting procedures which were, in their view, not permissable. There was substantial evidence that this had occurred from the time employment equity first became a topic of discussion on campus. Pointed out as well was the unfairness that can arise among academic units from the uneven application of policies when generally accepted definitions and procedures do not exist.

There remained, therefore, a critical need for senior administrators at least to reach some sort of accord among themselves on a consistent approach to employment equity and on ways to address the provisions of the Federal Contractors Program, and to articulate these clearly to the University community, if progress towards implementation was to occur. Some of this was acknowledged by President Davenport in his comments that:

> We do discuss employment equity in the President's Executive Committee ... the five Vice-Presidents and myself, so that we try to make sure we're headed off in directions that have unanimous support at that level.... I think one of the things that will happen over the next year or so is that the Deans will be discussing this issue with Dr. McDonald[17] and coming to arrangements that would seem appropriate to them and to their Faculties.

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[17] Dr. McDonald is the new Vice-President (Academic) appointed during the summer of 1991.

What was not as clear was whether there really needed to be any changes made to General Faculties Council employment policies. These policies looked to be sufficiently indefinite to accommodate whatever initiatives were necessary to satisfy the federal criteria, including those for special measures for designated groups. This seemed to be especially the case if support for such measures from senior levels of the organization including the Board were in evidence.

Association of Academic Staff of the University of Alberta

A key criterion of the Federal Contractors Program is that unions and staff associations are to be involved in the development of organizational employment equity plans, such that terms and conditions of employment necessary to accommodate the different needs of designated group employees can be introduced. Employment systems reviews, to be carried out in cooperation with unions or staff associations, also are called for.

The Executive and Council of the Association of Academic Staff first heard about the federal program from sources off-campus and from the Equity Advisor. Professor Badir, shortly after the signing of the agreement, made a formal presentation to the AAS:UA Executive "about what we meant by it all." She held discussions also with individual members of the Executive and with members of the Women's Issues Committee in her dealings with that Committee on a variety of issues. Minutes of Council and Executive meetings reveal that the AAS:UA was aware of the program and had discussed aspects of it from time to time. Nonetheless, it was not until May of 1990, according to AAS:UA records, that the Association acknowledged that "because the University has agreed to comply with the Federal Contractor's Program, the AAS:UA policy will need to refer to that legal framework."

The March, 1989 distribution by the AAS:UA of the "blue book" and accompanying memo from the Vice-President (Academic) and President of the AAS:UA represented a first attempt to generate discussion among Association members on issues such as gender stereotyping and its impact on the employment of women. The AAS:UA Women's Issues Committee provided recommendations to the Council on a number of ways for improving the terms and conditions of employment for women, including parental leaves, continuing part-time positions, and extensions of the probationary period before tenure in order to give persons access to parental leaves without jeopardizing their opportunities for tenure. As well, the 1990 AAS:UA brief to the President's Commission for Equality and Respect of Campus, although never officially submitted, contained recommendations for the university to "proceed quickly toward the development of an employment equity plan for academic staff" and for such a plan to "define goals and coordinate efforts to achieve equality of result."

Accounts of the bargaining process revealed difficulties for groups in a minority position, such as women, to get items to improve their working conditions taken forward for negotiation. There were problems also with the lengthy process associated with incorporating new terms into the Faculty Agreement as well as with the fact that the Association had no legal means, unlike in traditional bargaining arrangements, of bringing forward items unilaterally. In the future, negative repercussions emerging from these circumstances may expand as the requirement for greater responsiveness to the needs of an increasingly heterogeneous faculty intensifies.

Central administration and, in particular, the Vice-President (Academic) at no time formally discussed with the Staff Association the implications of the federal program nor how its requirements might be dealt with in the bargaining process. This was the case even though the Vice-President (Academic) had for several years served as a Board representative in negotiations with the Association. For whatever reasons that leadership on this was not exercised, the outcome was that by end of 1990, neither Board representatives nor Association representatives on the Agreement Review Committee had brought forward the Federal Contractors Program as a specific item for consideration in the Agreement review process.

Deans

As chief executive officers of their Faculties under The Universities Act, Deans have the final decision making authority in matters such as the appointment of academic staff. As one Dean expressed it, "hiring does remain one of the places where the Dean still is able to see some effect of his or her involvement in the chain of command." Deans were conscious of their responsibility for ensuring that the needs of the Faculty were taken into consideration in the selection process and saw themselves as having a role in "leaning on the process" from time to time to ensure that certain things occurred to ensure academic quality and equity.

All of the Deans interviewed expressed their awareness of the need to improve the representation of women at least, among University academic staff and several outlined ways in which in their Faculties were trying to achieve this. These strategies ranged from the vigorous recruitment of women applicants to "some positive discrimination," although no Dean admitted to there being any kind of formal Faculty policy on this. Education and dialogue in order to change attitudes and achieve consensus, rather than legislated requirements, were seen as preferable approaches to employment equity. Legislation, many felt, was a "clumsy" way to bring about this kind of change because rules can be circumvented. Just because a policy is written does not mean it will followed and, where it is adhered to, formal compliance only might be the outcome rather than compliance with the spirit or intent of the policy. On the other hand, most acknowledged that there were individuals with negative views towards employment equity and women's role in academe, such that progress on these issues would be more difficult to achieve.

Quite surprisingly, in light of their thoughts on legislated employment equity, Deans generally did not perceive the Federal Contractors Program to be an unwarranted and inappropriate intrusion into university affairs. Several felt that as a representative of the people of Canada, the federal government had the right and responsibility to introduce policies to effect social changes reflective of the values and attitudes of the larger society, and to influence programs and funding in order to reach such goals.

As to specific Federal Contractors Program criteria, however, Deans were not familiar with the details of the requirements and expectations. To a large extent, this was an outcome of the lack of leadership on the part of central administrators who neither pronounced their own commitment towards the program nor the intention of the University to comply with its provisions. Neither the President nor the Vice-President (Academic) advised Deans about priorities and expectations relative to this undertaking nor were opportunities provided, such as at Deans' Council, to debate the issues and to reach management decisions on appropriate approaches for the University to pursue.

Instead, these tasks were relegated to the Equity Advisor who carried them out to the extent her resources permitted. She spoke to Deans on an individual basis and, on occasion, was invited to Deans' Council. In spite of these efforts, however, she did not possess the authority to ensure that this became a priority item on the agendas of individual Deans.

In retrospect, Professor Badir admitted that the Deans should have been engaged to a much greater degree in discussions and decisions on these issues:

> It seems to me that one of the things we ought to have had in there all along [at Deans' retreats] was a half day on equity, a half day on compliance [with the Federal Contractors Program] as part of the whole hiring process.... I think that perhaps when Deans have retreats, there ought to be a very definite time spent on the whole question of affirmative action and what it means and where the University wants to sit. Anything that's done now has to come from the Deans. They have to go from their meetings with Vice-Presidents to Chairs and say "every department must establish goals for itself."

Several Deans, also, conjectured that in order for the program to be implemented, "the central administration has to indicate its strong intention" and "the whole administration in terms of the President, the Academic Vice-President and his ... people" would have to get involved, in a leadership capacity.

Centralized Versus Decentralized of Decision Making

Under both statute and policy, the Board, General Faculties Council and, through the collective bargaining process, the Association of Academic Staff all have formal responsibilities for determining and carrying out University employment policies; so also do the Vice-President (Academic), Deans and Chairs. Notwithstanding, shortly after assuming office in the summer of 1989, the new President delivered what was apparently a unilateral statement on what employment equity meant at the University of Alberta. Printed in the September 22, 1989 Folio (University of Alberta, 1989), his statement described employment equity as comprising non-discriminatory employment practices, hiring and promotion based only on qualifications without concern for gender or other characteristics, and aggressive recruitment practices to increase the number of applications from underrepresented group members. In other words, it described an equal opportunity policy. In November of 1989, Dr. Davenport reiterated this interpretation (University of Alberta, 1989v) adding that "this policy is supported by all of our senior academic administration, including the President, the Vice-President and the Deans."

Just over a year later, however, Deans' Council endorsed the policy recommendation of the President's Advisory Committee for Equality and Respect on Campus that qualified members of disadvantaged groups be hired for academic positions unless there are other candidates who are "demonstrably better" qualified. Further, the Vice-President (Academic) wrote on May 6, 1991 that although merit is a theme that runs through all General Faculties Council policies for hiring academic staff, the additional principle that the University is committed to the amelioration of conditions of disadvantaged persons must be considered as part of the context in which the hiring takes place. In his view, this meant that "where two candidates are essentially equal ... then selection committees are encouraged to recommend the female candidate or one from any other of the underrepresented groups."

There was no indication during the present study that the President had consulted the Deans about their own interpretation of employment equity for the University nor, for that matter, their thoughts on the Federal Contractors Program. Indeed, based on the diversity among Deans as to definitions of employment equity and perceptions regarding the legitimacy of the contract compliance program, as well as approaches within their respective Faculties to address employment equity concerns, it would seem that the President either had not sought the counsel of the Deans before making his statements or had chosen to disregard their views in favour of his own explication.

Whichever the case, this was evidence of the kind of top down, non-consultative decision making usually associated with the classic bureaucratic model of organizations. Such an incident highlighted questions concerning the extent of centralized decision making as opposed to more democratic procedures within the University. Although the issue of centralized versus decentralized control was beyond the scope of the present study, such matters elicited a variety of comments from respondents. And while many were convinced that the university was a collegial, non-hierarchical place in which decisions were reached through dialogue and consensus building, others believed that the pervasiveness of democracy was more illusion than real and that most major decisions were made by a very small group of people:

> As you start to unravel the onion you will find a lot of committees. The really critical question is "who sets the agenda--how is the agenda determined?". Most of what are viewed as the significant committees, when you talk to the members, you will find a sort of disillusionment. They don't find it very significant because they have no means of generating their own agendas or their own discussion. What they are expected, by and large, is to rubber stamp what is presented to them by the University administration.
>
> The real power is in the hands of very few people who create their own informal networks.... And all those informal networks tend to be the old boys system in the sense that ... most of those people in that very powerful

> network are men.... It's all very well to say, "oh, there is Deans' Committee ... and there are women who are Deans." If you look at the little charts ... [on] how the University is organized and where the power should be, that's one of the places it should be. But in fact you find out that, actually, that Committee is not all that powerful and ... that there is a very small sub-group of three or four Deans ... [who are] actually shaping the decisions of a Vice-President or a President.
>
> I would think a very very small percentage of people on this campus have any real power ... or any real input or say into the important decisions that are made. I would say there may even be as few as a dozen people on this campus who are powerful people in terms of the networks to which they belong.

Climate

University Culture

It is part of the culture and tradition of universities to seek to preserve their freedom and autonomy from external forces, such as governments, that attempt to exert influence on any facet of university life. Further, not only are these traditions evident in universities at the institutional level but they are concerns also of individual members of the academic community. These aspects of university culture were identified by several respondents as likely to have implications for the implementation of the Federal Contractors Program.

Among the University of Alberta's executive officers, concerns about provincial jurisdiction and university autonomy influenced at least part of their thinking toward the federal program. As Dr. Horowitz himself said, "I'm a Quebecer by birth and an Albertan by adoption and what a combination that is for provincial rights." He spoke also of his "natural inclination" to be concerned "as soon as I would hear that the feds were trying to have some control" and of his "strong anti federal involvement in education bias." Reflecting back on his decision to sign, Dr. Horowitz recalled that he wasn't the only university president who objected to the federal initiative, submitting that an opportunity might have been missed at the outset to oppose the program:

> I sometimes wonder whether I shouldn't have invested the same energy ... in winning over some of my colleagues in other universities ... and for us to have mounted a joint position.... I mean, I felt pretty strongly ... but there were some who felt even more strongly than I.... But if I may generalize,

> with the exception of a few in the east who were enamoured with federal intrusion, most of us held our noses and signed.

Professor Badir also, in reference to whether the administration viewed the federal program as an improper encroachment, revealed, "well, both Paul and Myer agreed on that one."

Significantly, the opinions of most of the Deans interviewed were notably dissimilar from those of executive administrators on this particular matter. Several Deans expressed their belief in the legitimate role and responsibility of government to "reflect society's attitudes," to carry out "the decisions of the larger society," "to right some injustice" and "to achieve a fundamental value change ... that is held Canada-wide." As to whether the federal program imposed on university autonomy, Deans voiced convictions that "I don't really see the federal government's action as an intrusion," I don't put much stock in that argument," and "I recognize the federal government's jurisdiction over this area as being perhaps a little more legitimate than GFC's." One said that while "there has to be academic autonomy ... I also think it's not a separate world here, and that we have enough experience on the matter to know that universities are not themselves doing what they should be doing." Only one Dean conveyed his annoyance with the federal government's assumptions "that they have to impose rules to get you to behave in an equitable manner."

These substantial differences in outlook between central administrators and many of the Deans suggests a lack of shared values and perceptions on issues such university autonomy and the role and responsibilities of the university in society.

There were other thoughts about how university culture might have influenced the implementation of the contract compliance policy. At the organizational level, some spoke of concern about preserving university autonomy and the freedom of the university to make its own decisions apart from outside influence:

> I think the universities were primarily concerned about losing their autonomy with respect to what is considered by all university people to be a sort of inherent right ... to hire their own.
>
> Universities feel they should be allowed to do exactly what they want to do.

> I mean, they have this autonomy, they have freedom and they guard it very jealously. They can be vicious with each other internally but they don't want anybody else coming from the outside and telling them what to do.

Some remarked on the extent to which academics, as individuals, see themselves as autonomous and free to make their own choices and, therefore, are very likely to resist any unilateral attempts to impose policy changes:

> Academics have it their professional image of themselves that they are autonomous, self-directed, that they think for themselves. They value highly freedom of speech; they certainly are not going to knuckle under to people that they disagree with and they fully protect this right to disagree.
>
> Within the university community, each staff member sees themselves as being a little empire unto themselves and whenever anybody comes along and says, "this is how we would like you to react," they say, "no way. I may react that way but I'll be the one who decides." And so I think that the imposition of any kind of policy ... just is anathema.
>
> The nature of the people that work in the university means that everything has to be argued, you never accept anybody's word for anything because that is how you are trained--you are trained to question.

In light of the assumption that resistance to change, especially that imposed from outside the institution, is a fundamental part of university culture, more than one person emphasized the necessity for taking time to educate, explain and change attitudes in order to create an environment more receptive to an innovation:

> I mean, people could just dig in and say "I'm not doing that." So it's doubly necessary in a university [to do the educational work] because you have to have the grass roots, the general people onside because they can obstruct endlessly and they do.
>
> One of our first objectives should be education. We need ... the resources to ... invite people in to give workshops ... to take [people] through the steps of the Federal Contractors Program ... so we all know what we are talking about.... We need to have some forums and some other mechanisms for peer education. If we try to rush it through, it will meet with just out of hand rejection.

Attitudes Towards Employment Equity

For this study, there was no comprehensive survey done to ascertain the inclinations of academic staff members as a whole about employment equity and the Federal Contractors Program, nor was there any attempt to measure the extent of support for and opposition to the implementation of employment equity policies. What the investigation intended to do was demonstrate that opposition did exist, including some of its manifestations, in order to illustrate that the climate was not at all necessarily supportive of the program objectives, that there were deeply disparate views on these issues, and that there existed factions among the faculty who were vehemently opposed to such initiatives and who were willing to obstruct in any way possible.

Signs of dissent within the academic community came to light as early as 1986 when letters of opposition started appearing in the campus media each time there was any public reference to University pay equity or employment equity initiatives. In some instances, such as after the Equity Advisor's October 6, 1988 letter to Folio (University of Alberta, 1988c) explaining revisions to Section 48 of the General Faculties Council Policy Manual having to do with employment equity, lengthy "debates" by way of the campus media ensued. Protestors against employment equity and special measures revealed attitudes reflective of those frequently encountered in the larger society, as described earlier in this chapter. Prevalent amongst the arguments of Folio writers, for instance, were that: "there is no evidence that this situation [predominance of males in faculty positions] has arisen as a result of discrimination"; "to select any candidates other than the most eminently qualified ... no matter how noble one's motives might be, can only cause the deterioration of academic standards"; "it is not possible to search for female members ... nor is it possible to bias the selection process in any other way favourable to women, without discriminating against men"; "I doubt that female academics would wish to be assessed other than on the basis of their ability alone"; "the most fundamental objection to a policy of reverse differential treatment is that it amounts to replacing alleged discrimination committed by some individuals ... by legislated discrimination"; "has our University now abandoned its former commitment to a policy of employment on the basis solely of merit?".

Most of those publicly expressing disapproval directed their objections primarily towards the notion of any special consideration being given to women, particularly women academics. Several interviewees remarked on the extent to which the discussion had focused almost solely on women to the virtual exclusion of the other designated groups. In addition, the majority of protests were directed almost entirely toward the element of preferential hiring even though employment equity encompasses a wide range of activities apart from that, and despite the fact that the Federal Contractors Program makes no specific request for affirmative action appointments.

Efforts to discover people's perceptions as to the reasons for this opposition and, especially, for the vehemence of the objections revealed some interesting themes.

It was observed, for instance that "where most of the reaction comes from, quite frankly, are those [departments] that don't have any women at all":

> When you think in terms of the polarization on campus, you have to remember that there are about 29 out of the 80 departments that do not have any women at all on staff--at all, zero. There is another huge chunk of departments that have less than 25% women.

"The natural tendency," someone else remarked, "is to perpetuate yourself and to keep the power you've got":

> I honestly don't believe that people give up the power they've got, however little it may be, willingly. It is also a natural tendency to want to replicate yourself in these positions. As long as you have got largely men doing the hiring, the tendency will be to hire more men because they are like [themselves].

Others thought that some of the opposition stemmed from a lack of understanding about what employment equity meant. One person made the comment that "employment equity ... is becoming like privatization--it's a concept with an identity crisis.... There are no universal definitions, no accepted definitions." Along similar lines, others said:

> In terms of what might actually be meant by employment equity and the strategies by which one might go about bringing about employment equity, I think there is probably not a lot of awareness in the community ... [or] much understanding of what it involves. Consequently, there's a lot of fear that this means, for example, that we will hire unqualified people, that women

> will take the jobs of men, that people from visible minorities and the Native population will be given preference over, if you like, able-bodied white males who are beginning to feel more and more like this tiny, little, always-attacked group.
>
> I would guess that the level of misunderstanding about employment equity and rights issues generally, and the level of fear about those things is quite high. In terms of any real awareness of what the potential of employment equity is and the justification for it and how it might be implemented, I would bet a lot of people don't know anything and they don't care [to know] because they've got their own prejudices as to what this is for, and how it will work, and what it will take away from them.

These latter themes, that some people had closed their minds to trying to understand what was really intended by employment equity, or that they understood perfectly well themselves but persisted in trying to disseminate false information, were pursued by other respondents. According to one person's interpretation, such actions were illustrative of the fact that some people simply are resistant to change for whatever reason and will do all they can to obstruct or delay innovation:

> A lot of people here know that it [does not mean hiring unqualified people, etc.] but it fits their agenda ... to have other people believe [it]. If people are resistant to change, then there are different ways you can go about trying to postpone change or deflect it and one of the ways is to convince enough people, a critical mass of people, that they should be afraid ... and shouldn't go along with this.

Another explanation was that changes portended by employment equity constituted a threat to certain people at a very personal level in that they challenged fundamental beliefs and values upon which these individuals had based their life work:

> It is not surprising to me that [there is a] group that would be resistant [to employment equity] because you really are challenging the very basis on which they have based their identities and that which they have defined as important and worthy of respect. For example ... career paths for people in the university [where you are expected] to get tenure in "x" number of years.... These people view [any questioning of] this as a fundamental attack upon the integrity of that which they have done with their lives.... [The result is that] where one would expect greater flexibility and rationality in a university, we may find greater inflexibility and almost what seems a lack of reason on issues like "can we redefine that which we consider scholarly work and the manner in which it is done and still maintain the worth of that work?".

There was the perception also that some of the resistance had to do specifically with negative feelings towards women:

> I've known several people who did go to some of the "Merit Only" meetings a little bit at the beginning and have come away just appalled and have actually switched over to the other side very strongly because it became evident to them that there was something underlying it--almost an anti-woman feeling there.

Although not emerging as a specific issue during this research, the establishment and growth of the Women's Studies specialization in the Bachelor of Arts degree program may have contributed to the more general fear among some individuals that women on many fronts were challenging and changing the values and traditions concerning ways of constructing knowledge and conducting the affairs of the University. Comprising only a handful of courses at the time of its inception in 1988, Women's Studies had expanded to such an extent that by the 1991-92 academic year, the University calendar showed over 30 cross-listed courses for the program.

The fact that Women's Studies had been the subject of criticism was recognized in the AAS:UA's brief to the President's Commission for Equality and Respect on Campus in its comment that "scholars in established disciplines cannot ... resort to dismissive tactics with regard to feminist scholarship" and the recommendation in support of "the promotion of normal unbiased assessment of feminist scholarship as for any other new approach to academic inquiry." In the debate around this recommendation, one AAS:UA Executive member had taken the position that "the term 'feminist' is associated with an aggressive, political female lobby group" (Association of Academic Staff Executive minutes, March 20, 1990). An extension of this dialogue occurred in the form of an Alberta Report article (Byfield, 1991) on "Women's Studies - Academics or Propaganda"? According to the article, critics of Women's Studies programs "see them not as a discipline but as an ideology, based on hatred of men and contempt for non-feminist women."

Such ways of thinking have grown into the "anti-political correctness" backlash exemplified by mainstream media articles such as "The Silencers" (Maclean's, 1991) and documented by writers such as Faludi (1991), inducing members of the academic community such as Hodgkinson (1991) to make assertions that:

> Sexual politics pervades the Canadian academy,
> These politics tend to subvert the concept of equity so that equity means not equity but inequity and iniquity,
> These politics are committed to a concept of social engineering and to projects of the radical left,
> The concept of merit is subverted to mean something other than academic excellence,
> Some administrators find this political context advantageous,
> Some colleagues are unaware of this movement,
> Some colleagues are supportive of this movement,
> Many colleagues are fearful and afraid to express overtly their resistance to this movement,
> The new radicalism tends to equate traditional values with oppression,
> The holders of traditional values are the real victims of prejudice under the new radicalism. (pp. 2-3)

At the same time that fear may have been deepening within some factions that increasing the representation of academic women by way of employment equity measures would substantially alter the University, it is likely that the December 6, 1989 murder of 14 women engineering students at l'Ecole Polytechnique in Montreal strengthened the resolve of many women faculty to ensure that progress towards the creation of a more receptive environment for women, both as students and as faculty members, and the implementation of equity policies continued. At the University of Alberta, this strength of conviction was evidenced by the actions of the ad hoc group who approached President Davenport in early 1990 about a human rights office in order to ensure that a structure to deal with equity matters, including employment equity, was maintained on campus.

Intraorganizational Political Activity

Several writers (Browning, Marshal and Tabb, 1981, p. 135; Lerner, 1986, p. 470; Van Horn and Van Meter, 1976, p. 55) have discussed how individuals and groups within organizations can engage in political action or "strategic behaviour" in order to establish or maintain a "context in which their preferred events occur" or to fight against organizational changes that are incongruent with their ideologies, value systems or self-interest. The political approach to organizational analysis is concerned with the formation of coalitions and interest groups, and the behaviour of these interest groups in their efforts to influence organizational decisions which affect them (Bolman and Deal, 1988, pp. 111-112). Politics in organizations, defined by Bacharach and Lawler (1980, p.1) as the "tactical use of power to retain or obtain control" over decisions reached, has to do with power relationships and how, when and why groups mobilize power (p.9). In addition, Kanter and Stein (1979) pointed out that political issues in organizations are not the same as interpersonal issues, observing that:

> As much as it is appealing to many of us who have faith in the reasonableness of our fellow human beings to believe that "if we only got together and talked it over, we could resolve this to everyone's satisfaction," organizational politics do not necessarily work that way. Face-to-face communication can sometimes worsen rather than improve relationships. (pp. 306-307)

Some of the disadvantages of intraorganizational politics have been identified as the potential for domination by certain groups, the lack of accountability for and responsiveness to needed changes, the encouragement of advocacy with the possible outcome that positions harden and compromise becomes less likely, and lack of protection for weaker members of the organization (Birnbaum, 1988, p. 139).

At the University of Alberta, much of the overt resistance to employment equity and the Federal Contractors Program coalesced under the banner of the "Merit Only" Group, described by one person in the following way:

> You have a group on campus that will--I mean, you just mention the word "equity" and they go straight through the ceiling. They are organized very strongly to be out at meetings and to assail everything that is done.... The effort is to stamp out discussion. It is to foreclose debate and when forced to debate, then it becomes very angry.

Apparently, it was after the distribution of the booklet Seeing and Evaluating People (Geis, Carter, and Butler, 1986), also known as the "blue book", and the March, 23, 1989 memorandum from the Vice-President (Academic) and the President of the Staff Association that the "Merit Only" Group was formed. As a coalition of professors, many of whom as individuals had written in protest against special measures for disadvantaged groups, the group particularly objected to statements in the March 23 memo that "if a male and a female candidate have essentially equal qualifications, departments have been encouraged to hire the female.... This is the intent of the employment equity policy for academic staff at the University of Alberta." Among the arguments raised against this interpretation was the contention that any employment practice which took characteristics such as gender into consideration was against General Faculties Council policy.

Follow-up correspondence from the May 23, 1989 inaugural meeting of the group revealed that a variety of "political" activities had been undertaken or were planned, including attempts: to gain publicity and support from the outside media; to arrange meetings with the University President; to recruit new members and to garner support for the position of "opposition to gender-based discriminatory hiring"; to influence the decisions of senior administrators through private correspondence; to "get a foothold in all major divisions of the University and in relevant councils and influential bodies; and to choose a name for the group which reflected their concern for "justice or fairness."

Although this study in no way attempted to measure the extent of the influence of the "Merit Only" Group, it was apparent that it served as a vehicle for the more extreme opposing elements in the employment equity debate. Its existence and activities most probably exacerbated disparity and the hardening of viewpoints, limited opportunities for thorough debate and expedited the dissemination of fear and misunderstanding on these issues.

To some extent, the group also took on a vigilante or enforcer role, employing tactics of intimidation to warn those who had been hurt already by the debate and others in the community that "it is those who promote preferential treatment, not those who oppose it, who must bear the blame for the pain it inevitably produces" (University of Alberta, 1989t). They demanded also that since "it is the duty of the President of this university to enforce the regulations that govern it," the President should "direct" those who might otherwise be considering such undertakings "that preferential hiring plans are in violation of GFC regulations."

The negative reaction to employment equity and the federal program by some members of the campus community was not unique to the University of Alberta. Although there are as yet few in-depth reports on the situation in other Canadian universities, articles by Cameron (1991), Findley (1990) and Wolfe (1990) documented some of the controversy and politicking that developed at the Ontario College of Art, for instance, when the Equity 2000 policy to increase the representation of women on the College faculty was introduced. Findley's article began as follows:

> In November 1989, the Ontario College of Art approved Equity 2000, a policy to increase the representation of women on the faculty of the College. The policy has provoked an incredible backlash both within the College and in the media. Charging power-hungry feminists and an incompetent administration with manipulating the decision-making process of the College to produce a policy that advantages women at the expense of men and other "disadvantaged" groups, anti-Equity forces within the College launched a battle that has captured national attention. (p. 25)

Wolfe (1990) discussed how "false rumours and misinformation" suggesting that "the college would be hiring only women for the next ten years"[18] and that "unqualified women would be hired" began to circulate as Equity 2000 proposals were being developed. He described how television, radio and print news media, even The Globe and Mail soon thereafter began reporting that "no male artists need apply" to the Ontario College of Art. Cameron (1991) disclosed that "when OCA's governing council assembled ... to vote on a controversial new hiring policy, the atmosphere was unusually belligerent. To a casual observer, it looked like civil war--women on one side of the barricades and men on the other" (p. 91).

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[18] The Ontario College of Art's equity proposal was that all positions that came open because of retirements would be reserved for women, if qualified women were available. Positions that became vacant from resignations, deaths, leaves of absence and sabbaticals, or any newly created positions, were not included in this plan. Apparently, retirements account for fewer than half of each year's teaching vacancies at the College (Cameron, 1991).

In a MacLean's article on "The Silencers," Fennell (1991) suggested that federal and provincial employment equity policies "have become a major force in challenging the dominant role that white male professors and administrators have traditionally played at universities" (p. 43). In response, Fennell concluded, "some male academics claim that hiring quotas are destroying merit as the principle basis for hiring and promotion." He noted that "about 200 Ontario academics signed a petition asking Premier Bob Rae's NDP government not to include Ontario universities in its employment equity program" P. 43). More recently, Dalglish (1991) observed that university officials believe that "employment equity and target programs for hiring ... have produced an anti-female backlash" (p. 31). Dalglish quoted Elspeth Baugh, Dean of Women at Queen's University, as saying that "employment equity polarized a lot of young men who see it as a threat to their future. We were incredibly complacent to believe that such a major social change could be accomplished without a backlash" (p. 31).

Theoretical Considerations - Conceptual Framework

The conceptual framework for this study proposed that in order to investigate a policy implementation process, the policy itself must be examined including (a) its purpose and objectives and the manner in which these are communicated to implementors, (b) the specific requirements of the policy and the resources it makes available to assist the implementing agency to achieve these, and (c) the timelines and enforcement mechanisms built into the policy in order to encourage implementation within a certain period.

The framework proposed further that the context in which the policy is to be introduced must be examined. Among the contextual factors considered by the framework to be important is the history of the organization in relation to issues or initiatives similar to those encompassed by the new policy. Questions to consider include those which seek to determine how the organization has responded before. What were the attitudes towards and the outcomes of previous attempts to achieve similar objectives?

Another factor has to do with the climate of the organization and the attitudes of its members relative to what the policy is designed to achieve. Is there general acknowledgement of the problem which the policy is intended to address and acceptance of the ways in which it proposes to address them? How well does the manner in which it seeks to bring about change fit with the culture of the implementing organization?

Related to this contextual factor is the degree to which the organizational structure and governance of the agency can respond to the policy criteria. Is decision making among various levels and organizational units sufficiently integrated or "coupled" so as to ensure that decisions made at one level will be carried out in another part of the organization? Is it clear which individuals and structures are responsible for what decisions and activities? Is it possible for individuals or groups in opposition to acquire sufficient power and influence to subvert the activities of those trying to bring about the change?

Another factor concerns the policy's resource implications for the agency and whether a significant commitment of resources is necessary. Are there substantial competing demands for these resources and is it a time of financial difficulty for the organization?

Finally there is the matter of leadership and the degree to which organizational senior officials are committed to the policy and willing to exercise leadership in order to ensure that: commitment is communicated to organizational members; responsibility is delegated to appropriate line managers who have the necessary authority to make decisions; sufficient resources, in the form of authority, personnel and funding, are made available; the enthusiasm and talents of those dedicated to the policy are mobilized; and the actions of those opposed defused.

As predicted by the conceptual framework and as demonstrated throughout this study, implementation issues emerged both from the requirements of the policy itself and from contextual factors arising from the environment in which the policy was to be implemented. Among some of the most important implementation issues and problems identified were the following:

1. The Federal Contractors Program incorporated no timelines or deadlines with the effect that pressure on the University to get an employment equity plan in place was considerably diminished.

2. The federal policy brought with it resource implications at a time when increasing fiscal restraint and financial difficulties were paramount concerns of the University administration.

3. There was no campus-wide acceptance of the existence of the problems identified by the federal program as needing to be addressed. Furthermore, there was no overall agreement with the approaches suggested by the policy for rectifying the problems.

4. Several persons within the University community were strongly opposed to any "equity" policy other than equal opportunity or equal treatment policies. This extended to disagreement with special measures to accommodate the particular needs of designated groups or to any consideration of characteristics other than "merit" in hiring and promotion decisions.

5. Historically, central administrators had tended not to take a leadership role in employment equity matters. Rather, the pattern was for there to be a limited reaction only after considerable pressure from different sources was mobilized on behalf of a particular policy or undertaking or in instances, for example, of public embarrassment when it was made known that previous promises had not been kept.

6. Uncertainty over the role of major decision making bodies such as the Board and General Faculties Council, in relation to the Federal Contractors Program, was apparent even among senior administrators.

7. There were considerable differences of opinion over the interpretation of University employment policy as it related to academic staff. Some argued that it was an equal opportunity policy only; others were convinced that it allowed for the establishment of special measures to accommodate differences and to mitigate conditions of disadvantage, and that it permitted the consideration of characteristics other than "merit" alone in employment decisions involving equally qualified candidates.

8. A general lack of knowledge and understanding was evident among the academic staff about the meaning of the term employment equity and about national initiatives to remedy past employment disadvantages experienced by women and certain minority groups. This lack of awareness and understanding extended to many administrators also.

9. Most critical, however, was the lack of commitment and leadership on the part of central administrators towards ensuring that the goals of the federal program were effectively achieved. This absence of leadership produced another set of implementation problems, among which were the following:

> (a) Prior to June, 1991, executive officers made no statements of commitment concerning the Federal Contractors Program. They did not spearhead nor encourage widespread dialogue and consultation, in committees, councils or elsewhere, with regard to best approaches for the University nor did they request the cooperation and assistance of the University community towards achieving the policy objectives.
>
> (b) Executive officers did not discuss with other senior administrators, including Deans, Chairs and the heads of service units, the implications for the University of the contract compliance program nor did they communicate the requirements for the development a comprehensive employment equity plan.
>
> (c) There was no communication from the Board of Governors representative, in this case the Vice-President (Academic), to the Association of Academic Staff about the necessity for an employment systems review nor was this requirement brought forward for consideration and negotiation in the Agreement review process.
>
> (d) Insufficient resources, in terms of authority, responsibility, personnel and funding were made available to get the necessary decisions made and activities underway for the development of an employment equity plan.

The conceptual framework suggested that implementation strategies should be contingent upon the implementation issues identified. It predicted also that, depending on the impact of measures introduced, new issues may emerge that require different approaches. This would be the case in a situation in which, for instance, there was change in the implementation context either towards or opposed to the policy. Also inferred by the model was that if certain strategies failed to address an implementation issue, then a situation might be created in which subsequent strategies would also fail.

The study provided several illustrations of these points. For instance, the Equity Advisor alerted both the former and the current President of the need for a Presidential communication to the University community of the University's commitment to the contract compliance program. In the case of the former President, she went so far as to draft a policy statement for his consideration. Nevertheless, as she indicated, "he never published a statement that appeared as 'this is the President's belief with respect to equity'." And although the new President on several occasions provided his own interpretation of the University's approach to employment equity, he made no public announcements about the

Contractors Program until after the federal government had set a May, 1992 timeline for the completion of the University's employment equity plan.

During the same time, the Equity Advisor visited Deans' Council, Chairs' Executive and Administrative Council and she spoke individually to Deans, Chairs, heads of service units and other administrators about employment equity. However, in the absence of any clear indication from central administration that this was something that had to be dealt with, the Equity Advisor was given a polite audience by these administrators and that was as far as it went. In the fall of 1990, not surprisingly, Deans interviewed had only a passing knowledge of the existence of the contract compliance program and of its implications for the University.

The Equity Advisor's efforts to establish the necessary workforce database met with only limited success although, as corroborated by an Associate Vice-President, she had "started on this a long, long time ago" with "the means that she had at hand." Her 1988 census provided a "snapshot" of the University's workforce at that time. But without the allocation of sufficient resources for computer programmers and other needed personnel, by the spring of 1991, an appropriate computerized data base for academic staff had yet to be created. The result was that the whole census process had to be repeated in the fall of 1992.

The need for education and dialogue among faculty members on employment equity matters was recognized in several quarters. However, the Association of Academic Staff's attempt to promote this kind of dialogue, through the distribution of a memo on the University's employment equity policy and a workshop on the "blue book," led to a number of unintended consequences. Among these were the formation of a lobby group known as "Merit Only" comprising several faculty members opposed to employment equity and, apparently, a general heightening of emotions and greater polarization of views around these issues. The activities of the "Merit Only" Group (subsequently renamed the

Association of Concerned Academics) fostered considerably intensified hostility towards any discussion or progress on employment equity.

The Equity Advisor recognized also the need for establishing greater awareness about the federal initiatives and on employment equity more generally. With limited resources from the aspect of both time and funding, she cooperated with the University Secretariat to offer two workshops, in 1987 and again in 1988, on employment equity issues and on the implementation of employment equity. As regards the academic staff who attended, however, it was a matter of "preaching to the converted." The fact that very few administrators were present suggested again that without direction from executive officers that this was a matter requiring their attention, there was little incentive for them to attend.

Leadership exhibited on the part of the President's Commission for Equality and Respect to secure, by way of recommendations in their report, the necessary commitment and the resources for the implementation of the federal program did not produce the hoped for response from senior administration. An unintended consequence of this action, however, was the endorsement by Deans' Council of the Commission's "demonstrably better" recommendation. In this instance, from a governance perspective, the decision of the Deans opened the way for academic units to proceed with employment equity initiatives embracing this principle and, shortly thereafter, there were indications that certain academic units were doing just that.

With regard to another implementation issue, however, in this case the uncertainty surrounding the respective roles of the Board of Governors and General Faculties Council relative to the contract compliance program, there were no measures undertaken by any party to clarify these matters.

These few examples serve to illustrate the principles incorporated in the conceptual framework. When strategies fail to address certain implementation issues, subsequent measures to deal with other issues may also fail. Some strategies may have the unintended consequence of making the context less receptive than it was before and, in such cases, new measures may have to be devised. In other instances, there may be unpredicted outcomes which create new opportunities to move ahead more quickly than anticipated. The power of the contingency model is that it allows for readjustments and new measures as the context changes, as policy requirements are met and as different issues emerge. It does not depend on a predetermined course of action based on beliefs about how the agency operates or how implementation is supposed to occur.

In the present study, the conceptual framework proved to be a most useful means to structure the study, to gather and analyse data and to derive explanations regarding progress towards the implementation of the Federal Contractors Program, including the fact that "although the University had committed itself to the Contractors Program in 1987, [as of June, 1991] there remained a great deal to be done before an acceptable plan could be submitted to the Federal Government" (University of Alberta, 1992).

It is therefore recommended that the framework be used in other implementation studies to test its general utility and applicability to other policy and organizational change situations.

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APPENDIX A

FEDERAL CONTRACTORS PROGRAM
CERTIFICATE OF COMMITMENT
TO IMPLEMENT EMPLOYMENT EQUITY

CERTIFICATE
Number __________

FEDERAL CONTRACTORS PROGRAM
CERTIFICATE OF COMMITMENT
TO IMPLEMENT EMPLOYMENT EQUITY

____

Name of Organization

The above-named organization hereby certifies its commitment to implement employment equity in the following circumstances:

1. the organization has a Government of Canada goods or services contract worth $200,000 or more; and
2. the organization has 100 or more permanent full-time and/or permanent part-time employees.

In such circumstances, the organization undertakes to implement employment equity in keeping with the Criteria for Implementation. This document, duly signed by the chief executive officer, constitutes a Certificate of Commitment which, under the Federal Contractors Program for Employment Equity, is a prerequisite for the validation of bids submitted in the circumstances listed above.

__________ **Signature of the Chief Executive Officer**	__________ **Date**
__________ **Please Print Name**	__________ **Industrial Sector**
__________ **Organization**	__________ **Number of Employees**
__________ **Address**	
__________ **Telephone**	

APPENDIX B

FEDERAL CONTRACTORS PROGRAM

INFORMATION FOR SUPPLIERS

Employment and Immigration Canada Emploi et Immigration Canada

EMPLOYMENT EQUITY

FEDERAL CONTRACTORS PROGRAM

INFORMATION FOR SUPPLIERS

OBJECTIVE

To ensure that federal contractors who do business with the Government of Canada achieve and maintain a fair and representative workforce.

DESCRIPTION

Suppliers of goods and services to the federal government who employ 100 persons or more and who want to bid on contracts of $200.000 or more will be required to commit themselves to implementing employment equity as a condition of their bid. Failure to subsequently comply with prescribed employment equity measures can result in the loss of the opportunity to compete for future government business.

REQUIREMENTS

The program requires contractors to implement employment equity measures. Such measures necessitate the identification and removal of artificial barriers to the selection, hiring, promotion and training of members of the designated groups, i.e., women, aboriginal peoples, persons with disabilities, and visible minorities. As well, contractors will take steps to improve the employment status of these designated groups by increasing their participation in all levels of employment.

OPERATION

There are five essential steps in the implementation and operation of the Federal Contractors Program for Employment Equity. They are: Certification, Implementation, Compliance Review, Appeal and Sanctions. (The timing of each step is dependent upon the individual circumstances of each contractor and cannot be pre-determined.)

1. Certification

Suppliers who employ 100 persons or more and who wish to bid on contracts worth $200.000 or more with the federal government will first certify in writing their commitment to implement employment equity according to specific criteria.

2. Implementation

Employment equity will be implemented in keeping with the terms and conditions of Criteria provided by the Canada Employment and Immigration Commission (CEIC).

Essential components of this process are:

a) removal of discriminatory barriers to the employment and promotion of designated groups. This includes elimination or modification of all human resources practices and systems which cannot be shown to be bona fide occupational requirements;

b) improvement in the participation of designated group members throughout the contractor's organization through hiring, training and promotion;

c) the introduction of special measures and the establishment of internal goals and timetables towards the achievement of employment equity by increasing the recruitment, hiring, training and promotion of designated group members and by making reasonable accommodations to enable members of such groups to compete with others on an equal basis; and

d) the retention of records regarding the employment equity implementation process for assessment by

Canada

officials from the CEIC during on-site compliance reviews.

3. Compliance Review

In-depth compliance reviews will be conducted by the CEIC to:

a) review the records and documents kept by contractors;

b) assess compliance with the program criteria and the results obtained;

c) determine the extent of efforts made by contractors on behalf of designated groups; and

d) measure the performance levels attained by contractors.

If the compliance review results are positive, the process is complete and the contractor will be so informed.

If the compliance review results are negative, the contractor will be so informed and will be expected to initiate remedial action for review within a prescribed time limit not to exceed 12 months.

4. Appeal

The Contractor has the right to appeal an unfavourable compliance review to the Minister of Employment and Immigration. In that instance, an independent review will be undertaken to study the findings of the original compliance review and advise the Minister of Employment and Immigration of the results.

5. Sanctions

In the event that the results of the independent review indicate a failure to comply, sanctions will be applied including eventual exclusion from bidding on federal government contracts.

CRITERIA FOR IMPLEMENTATION

1. Communication by the organization's chief executive officer to **employees, unions and/or employee associations of the commitment to achieve equality in employment through the design and implementation of an employment equity plan.**

The successful implementation of an employment equity program depends upon the degree of commitment made by the chief executive officer and how this commitment is communicated to all employees.

The extent to which the respective union or employee association is involved in making that commitment and the degree of collaboration involved in developing and issuing an appropriate policy statement on the organization's position on employment equity are also major success factors.

2. Assignment of senior personnel with responsibility for employment equity.

A stated commitment by the chief executive officer to implement employment equity must be supported by the assignment of a senior level individual with the necessary authority and responsibility to ensure the program's effectiveness. To be most effective, such an individual should have knowledge of the problems and concerns of designated groups (women, aboriginal peoples, persons with disabilities, and visible minorities) and the status and ability needed to gain the cooperation of employees, employee association officials, and managers at all levels in the organization. He/she will also act as the organization's employment equity contact point with the federal government.

3. Collection and maintenance of information on the employment status of designated group employees, by occupation and salary levels and in terms of hiring, promotion and termination in relation to all other employees.

The requirement for recording this and other employee-related information is to give the contractor sufficient information in order to establish objectives and priorities for an employment equity program, and give both the contractor and the government an indication of the results of the contractor's subsequent employment equity initiatives.

Contractors are encouraged to tabulate the type of data which are relevant to their respective needs. This should include information about training, layoffs and retirements in addition to that relating to hiring, promotions and terminations of designated group members.

The specific format for collecting this type of information is left to the discretion of the contractor. As an aid, the contractor may wish to take advantage of the format established for those firms falling under the authority of the Employment Equity Act.

4. Analysis of designated group representation within the organization in relation to their representation in the supply of qualified workers from which the contractor may reasonably be expected to recruit employees.

When the status of designated group employees within the organization has been determined, it is used to compare the in-house representation with the number of qualified designated group members available within the provincial, national or Census Metropolitan Area labour force. The Canada Employment and Immigration Commission, in conjunction with Statistics Canada, will provide the relevant data to use in the organizational planning of employment equity initiatives. It should be noted that while the availability of such data is as yet incomplete, the Government is taking a number of steps through the 1986 census and other statistical work to assemble a more reliable data base. Notwithstanding the need to improve the data, it is also important to note that data analysis is only one factor among many in determining the degree to which employment equity has been or is being achieved.

5. Elimination or modification of those human resource policies, practices and systems, whether formal or informal, shown to have or likely to have an unfavourable effect on the employment status of designated group employees.

Frequently, employment practices and policies have unintentional adverse effects upon the recruitment, hiring, promotion and retention of designated group members. This is known as systemic discrimination.

It is important, therefore, that a review be undertaken of all procedures used in the recruitment, selection, training, promotion and termination of employees. Any policy, practice or system, whether formal or informal, which is found to have or is likely to have an unfavourable impact should be eliminated or modified to prevent recurrence of that impact.

6. Establishment of goals for the hiring, training and promotion of designated group employees. Such goals will consider projections for hiring, promotions, terminations, lay offs, recalls, retirements and, where possible, the projected availability of qualified designated group members.

Having determined in which areas steps are needed to correct systemic discriminatory practices, the contractor will be in a position to establish goals and timetables for the increased participation of designated groups in its various occupational categories. In setting goals, the contractor should bear in mind its longer term objective which is the proportional representation of designated group members in the company's workforce. As happens with all organizational goals, the pursuit of employment equity goals follows a policy decision and is integrated into the overall planning system.

7. Establishment of a work plan for reaching each of the goals in 6 above.

Each of the goals should therefore be tied to a timetable with reasonable completion dates or deadlines for evaluation of results. Progress can then be periodically reviewed and the plan adjusted accordingly.

8. Adoption of special measures where necessary to ensure that goals are achieved, including the provision of reasonable accommodation as required.

Special measures may include special training courses in order to upgrade employees whose advancement may be hindered due to the lack of practical experience. Still others may mean day-care assistance, special counselling services or flexible work arrangements. In addition, the physical plant may have to be modified to accommodate wheelchairs, seeing eye dogs and communication devices for hearing impaired individuals. These are examples of reasonable accommodations designed to alleviate specific employment problems affecting the ability of designated group members to fully participate in employment.

9. Establishment of a climate favourable to the successful integration of designated group members within the organization.

Being hired is only the first step. An inhospitable work environment can affect both the quality of an employee's work and his/her willingness to remain in an organization's employ. Awareness sessions for managers and staff will create a greater understanding of employment equity objectives and help dispel any misconceptions or feelings of resentment toward the program.

10. Adoption of procedures to monitor the progress and results achieved in implementing employment equity.

An effective monitoring system is a necessary part of any employment equity program. Regular evaluations will determine the progress being made toward objectives and will also identify where there are needs for corrective action or adjustment.

11. Authorization to allow representatives of the Canada Employment and Immigration Commission access to the business premises and to the records noted in 3. above in order to conduct on-site compliance reviews for the purpose of measuring the progress achieved in implementing employment equity.

As a condition of certification, the organization agrees to allow authorized CEIC officials access to the above-noted records as well as others which will indicate the extent of the organization's efforts and results.

APPENDIX C

MANDATE OF THE SPECIAL ADVISOR TO THE PRESIDENT ON MATTERS OF EQUITY

The Office of Equity Advisor is responsible to the President.

The Mandate is to ensure that the principles of employment equity are a part of the University's commitment to its students and employees with particular reference to: women, natives, visible minorities and disabled persons as well as to students, support staff and academic staff.

The Equity Advisor is charged with over-seeing the University's compliance with the Federal Government Employment Equity program.

A. In order to monitor progress, the Employment Equity Policy of the (Section 48 of the GFC Policy Manual) requires that:

    1) the procedures for each appointment to the Academic staff (APO, FSO, Assistant, Associate and Full Professor) must be reported on a Recruitment Process Form (Attachment 1)

    2) In order to have some reasonable idea of the membership of the applicant pool, each Department Chair must send a "self-identification" form to each applicant, along with the acknowledgement of the receipt of application (Attachment 2).

    NOTE; Recruitment of Support Staff and information on the "pool of applicants" is reported by the Personnel Dept.

B. The Equity office works closely with the Vice-President (Academic) to ensure, to the extent possible within necessary fiscal restraint, that policies are equitable and that we accommodate the needs of disadvantaged people who wish to, and are qualified to, become a part of the University community.

C. The Equity Office, in collaboration with other groups in the University, does from time to time sponsor programs which provide an opportunity for dialogue on matters of equal opportunity.

D. Recognizing that the "pool of eligibles" for most academic positions (and particularly in some previously male dominated or female dominated fields) is not representative of the distribution of the population at large, the Equity Office is concerned with entrance into the system at the undergraduate and graduate levels and works to effect changes in these areas.

E. The Equity Office has been engaged in two major studies this past year:

    A study in collaboration with AASUA on the "Sessional" or full-time and part-time temporary academic staff question.

    A study of graduate students and the particular issues which enhance or hinder their progress through the system.

    These two studies will be released for circulation over the next month.

APPENDIX D

RECRUITMENT PROCESS FORM

Equity Advisor
Office of the President
University of Alberta
Edmonton
Canada T6G 2J9

Recruitment Process Report

Department: ______________________________

Faculty: ______________________________

Position: Control No. ______________________________

Rank ______________________________

Salary Range ______________________________

Date Position Became Available ______________________________

Date Recruitment Process was initiated, i.e. Advertisements released (attach copy of advertisements) ______________

Date Appointment Becomes Effective ______________________________

Please see reverse for specific instructions.

1. Total number of candidates submitting vitae: ______________

	Total	Caucasian	Visible Minorities	Aboriginals	Disabled	Other
Male						
Female						
Total						

2. a) Off-campus candidates interviewed: Total number: ______________

No. of males: ____________; No. of females: ____________; Other disadvantaged groups: ____________

Dates of interviews: ______________________________

b) On-campus candidates interviewed: Total number: ______________

No. of males: ____________; No. of females: ____________; Other disadvantaged groups: ____________

Dates of interviews: ______________________________

4. Candidate recommended for position:

Name	Sex M	Sex F	Disadvantaged Group*	Date Interviewed

5. Candidate offered the position:

☐ Same as above

☐ Other:

Name	Sex M	Sex F	Disadvantaged Group*	Date Interviewed

6. Level of appointment:

Salary $ ____________; Step in rank: ____________

Market Supplement $____________

7. Indicate major criteria used to arrive at selection of appointee (degree, experience, other qualifications).

8. Please indicate recruitment procedures employed to locate qualified candidates.

9. Outline recruitment activities undertaken by department and/or division to locate a member of a disadvantaged group** for the available position.

10. Please list names of persons from disadvantaged groups** meeting minimum qualifications as advertised who were not hired and indicate individually why each was not hired.

11. Comments:

Signatures:

Department Chair ______________________________ Date ____________

Dean ______________________________ Date ____________

* See reverse

DISTRIBUTION: White—Equity Office Pink—Faculty Yellow—Department

University of Alberta

RECRUITMENT PROCESS REPORT

1. The purpose of collecting this information is to provide the University with material which will allow it to monitor the success of its program, and to move toward a more equitable distribution of disadvantaged groups in our society.

*2. By "disadvantaged" we refer to those groups identified by the Federal Employment Equity Act: women, aboriginals, visible minorities and disabled.

3. It will not always be possible to identify applicants as to membership in any of these categories, i.e. you are not able to require this information on applications nor to ask the question in the course of the selection process. We ask you to supply the information if it is available, if the applicants have identified themselves in one or other of the categories, **or** if you, in the process of interviewing, have been able to ascertain this information.

*4. In certain Departments and Faculties men constitute the "disadvantaged group". In these cases please refer to male applicants.

5. Please feel free to continue comments on additional pages.

APPENDIX E

APPLICANT SURVEY FORM

University of Alberta
Edmonton
Canada T6G 2J9

Equity Advisor
Office of the President
1-11 University Hall, Telephone (403) 432-7325

APPLICANT SURVEY FORM

I. Department: Please complete this section and forward to any person applying for a position in your department.

Date: ______________________ Name of Department: ______________________

Area of specialization of advertised position: ______________________

Approximate rank/salary of position: ______________________

Position No.: ______________________

II. Applicant: Please read the following.

University of Alberta Code of Confidentiality

1. This survey information will be given the highest degree of confidentiality.
2. It will be used only to analyze the overall representation levels of persons of aboriginal ancestry, racial minorities and persons with disabilities.
3. Data will not be used for any other purpose nor will it be made available to any other than the Equity Office.
4. Reports based on the results of the survey will be issues in aggregate statistics only so that no one individual can be identified.
5. The report will be used as a base for reporting to the Federal Government under the Contract Compliance Program.

Purpose:

Information requested on this form will primarily be used for statistical purposes in preparing reports required under the Federal Government Employment Equity Program. This requires information on the employment applicant pool.

Policy:

The University of Alberta, in accordance with the Canadian Charter of Human Rights and Freedoms and the Alberta Individual's Rights Protection Act, is committed to the principle of employment equity. This principle commits the University to a policy of non-discrimination on the basis of sex, race, colour, religious beliefs, physical disability, ancestry or place of origin.

All appointments will be made on the basis of merit.

III. PLEASE complete the following section by checking the appropriate boxes.

Name: ______________________ Male ☐ Female ☐

Date of Application (approximate): ______________________

Do you consider yourself to be a member of an aboriginal group? Yes ☐ No ☐

☐ Inuit ☐ Metis ☐ Non-status Indian ☐ Status Indian

Do you consider yourself to be a member of a visible minority group? Yes ☐ No ☐

☐ Black ☐ Asian ☐ Other ______________________

Do you consider yourself to have a disability? Yes ☐ No ☐

What is the nature of the disability?

☐ Coordination or dexterity impairment ☐ Mobility impairment

☐ Speech impairment ☐ Sight impairment ☐ Hearing impairment

☐ Other ______________________

When you have completed the questionnaire, please return in the enclosed self-addressed envelope.

APPENDIX F

MARCH 23, 1989 MEMO FROM THE VICE-PRESIDENT (ACADEMIC) AND THE PRESIDENT OF THE ASSOCIATION OF ACADEMIC STAFF

University of Alberta
Edmonton

Canada T6G 2E8

TO: All Academic Staff March 23, 1989

FROM: John E. Bertie,
President, AAS:UA

J. Peter Meekison,
Vice-President (Academic)

SUBJECT: Booklet: "Seeing and Evaluating People"

In recent years, departments have been asked to pay particular attention to the legitimate credentials of members of groups other than those from whom university faculty have traditionally been hired. In particular, departments have been asked to seek and to give equal consideration to the candidacy of women for academic positions, and to give fair and equal treatment to women and men in performance and promotion evaluations. In fact, if a male and a female candidate have essentially equal qualifications, departments have been encouraged to hire the female, in the case of most departments, to compensate for the small percentage of women in the department. In a few predominantly female departments, the encouragement has been to hire the male. This is the intent of the employment equity policy for academic staff at the University of Alberta.

AAS:UA Council and the Senior Administration of the University have approved the distribution of the enclosed booklet to all academic staff. The purpose is to aid the realization that the objective evaluation of objective information is frequently less objective than we are accustomed to believe. When this is realized, the equity policy becomes understandable, even necessary, as a fair policy to help us to avoid bias.

We hope you find this booklet interesting and informative. We believe the issues to be important to the University. We encourage you to discuss its contents with your colleagues and with us. All interested academic staff members are invited to participate in a panel discussion of the issues raised in this booklet, to be held in Humanities Lecture Theatre L1 on Friday, April 14, 1989 at noon. And we encourage you to read it again when you are elected to a staff selection or evaluation committee.

John E. Bertie
John E. Bertie
President, AAS:UA

J. Peter Meekison
Vice-President (Academic)

VICE-PRESIDENT (ACADEMIC)

APPENDIX G

"MERIT ONLY" GROUP MEETING MINUTES

University of Alberta Inter-departmental Correspondence

to: Members of "Merit Only" Group

date: Sept 18, 1989

our file:

from: Steering Committee

your file:

subject: Meeting of the "Merit Only" Group, Thursday September 28, 3.30 p.m., in Bus. B.-09. (Provisional Agenda enclosed)

Background information

A group of some 25 faculty members met on May 23, 1989, in HC 5-20 in common opposition to the seemingly sex discriminatory hiring policy being promoted by some of the University's senior administration. The group provisionally took on the name "Merit Only".

Decisions taken at that meeting included:

1. There would be a steering committee.
2. The steering committee would draw up recommendations for action to be put before a second meeting of the group in the autumn, preferably September (1989).
3. Those present at the meeting would attempt to recruit new members and send their names to the Steering Committee.

Since the May 23 Meeting

a. The Steering Committee distributed a record of the May 23 meeting to all those who had been present, all those who had hoped to be present, and all those who had been asked merely to be kept informed. A list of names was appended.

b. Four members of the Steering Committee held a luncheon meeting with Olive-Elliott, the Edmonton Journal Education Columnist. This meeting was followed by four pretty accurate and sympathetic articles in Elliott's column.

c. July 12 Steering Committee wrote to Professors of the AASUA requesting representation at a forthcoming meeting of the new University President with AASUA in which members of the Women's Affairs Committee were to be included and in which issues of gender equality were to be discussed. No written reply was recieved, but a member of Merit Only was given to understand that the group would be advised to seek its own independent meeting with the President.

d. The Steering Committee wrote a fairly strongly worded letter to the University President, outlining the concerns of the 'Merit Only' group, and asking for a meeting of two or three of its members with him to elaborate the group's concerns. To date (September 18), no reply has been received.

e. Professors of Dentistry sent a letter to all members of their own Faculty outlining the preferential hiring policy, stating the position of "Merit Only", and asking for indications of opposition to gender-based discriminatory hiring at the University. As a result of this initiative, eight new names were added to our list.

f. Various members of the group have been engaging members of the Administration in private correspondence throughout the summer. The correspondence tended latterly to be one way only, and can't be judged to have had much impact. Two of the things that have been learnt though are that the Employment Equity Officer believes that Federal Legislation requires us to give some weight to gender in hiring decisions, and that the Vice-President believes that the policy which he has been promoting is consistent with G.F.C. hiring policy. (It might be useful if members were to read Section 48 of G.F.C. Policy Manual and make up their own minds about this.)

g. Sept. 12 The Steering Committee met to consider the agenda for a meeting of the whole group. The suggested items for discussion and deliberation on the attached Agenda can serve as an indication of what was discussed. But what was most emphasised was the need to expand our numbers, and increase awareness in the University of our existence and what we stand for.

PLEASE TRY TO FIND SYMPATHIZERS

— MAKE THEM A COPY OF THIS

— INVITE THEM TO ATTEND THE MEETING.

APPENDIX H

"MERIT ONLY" GROUP MEETING AGENDA

'Merit Only" Group

There will be a meeting of the 'Merit Only" Group on Thursday September 28 at 3.30 p.m. in Business B-09.

AGENDA

1. Record of previous meeting. (previously distributed).

2. Possible actions regarding publicity and pressure

    (i) Write brief 'manifesto' for wide distribution.

    (ii) Write a larger piece (perhaps our answer to the imfamous 'Blue Booklet') for publication in, e.g., Folio.

    (iii) Writing Campaign. Members of "M.O" write as individuals to University Officers, Staff Association, etc.

    (iv) Members of "M.O." to continue with recruitment efforts. Particularly desirable to get a foothold in all major divisions of the University and in relevant councils and influential bodies.

    (vii) Major conference on Economic Equity issues on campus, with representation from accross Canada and from the U.S.

    (viii) If President Davenport agrees to meet with some of our members. Who?

3. Legal and Administrative Questions

    (i) The Administration's 'employment equity' policy v. the G.F.C. hiring policy. See, e.g. Meekison/Bertie letter to all faculty, March 23, 1989 v. G.F.C. Policy Manual, 1988, Section 48.

    (ii) Quasi-legal challenge to Administrative action.

    (iii) The Charter of Rights and the Employment Equity Act in relation to the G.F.C. hiring policy and the Administration's hiring policy.

4. The 'Merit Only" Group

    (i) To whom is the group open? (Permanent academic staff only? Sessional lecturers? Graduate students?)

    (ii) Is 'Merit Only" the name we really want? (There was a feeling in the Steering Committee that a name reflecting our concern with 'justice' or 'fairness' might be more appropriate, and politic.)

    (iii) Finances. Who pays - for photocopying, publicity, etc?

5. Any other business.

APPENDIX I

PETITION TO UPHOLD UNIVERSITY HIRING REGULATIONS

PETITION TO UPHOLD UNIVERSITY HIRING REGULATIONS

The regulations of General Faculties Council (GFC) in regard to equity (fairness) in academic hiring state: "Every individual is entitled to be considered without discrimination and in particular, without discrimination because of race, religious beliefs, colour, sex, physical disability, marital status, age, ancestry or place of origin." (48.1.2). Special efforts are to be made to attract members of "under-represented groups" into the pool of applicants for a position; after that is done, the regulations assert, "employment decisions shall be made on the basis of merit." (48.1.1).

Last year, the President's Commission on Equality and Respect on Campus (PCERC) recommended that a policy of preferential hiring replace this one. That could of course be brought about by the usual academic and democratic procedures: open campus debate followed by voting in GFC by the representatives of all faculty constituencies. What is not acceptable is for any of those constituencies or their officers simply to decide on their own to violate university policy on this or any other matter.

Recently, the Department of Religious Studies announced plans to use gender as a criterion in hiring (not just, as already required by GFC, in recruitment). Further, the Dean of Arts has reported that certain departments in that faculty have adopted a policy of hiring members of under-represented groups "unless there is a candidate who is demonstrably better qualified". She has presented that policy to all departments in Arts as an acceptable option, asking them to "identify appropriate goals" in the hiring of members of certain groups, instead of informing them that it is in violation of GFC regulations.

It is the duty of the President of this university to enforce the regulations that govern it. Indeed, he has already assured GFC that he will allow no PCERC recommendations falling within its jurisdiction to be implemented unless adopted by GFC. We call on him to direct the Dean of Arts to advise all her departments in writing that preferential hiring plans are in violation of GFC regulations.

____________________ ____________________ ____________________

____________________ ____________________ ____________________

____________________ ____________________ ____________________

____________________ ____________________ ____________________

APPENDIX J

MAY 6, 1991 MEMO FROM THE VICE-PRESIDENT (ACADEMIC)

University of Alberta Inter-departmental Correspondence

to: All Persons Signing the Petition to Uphold University Hiring Regulations

date: 6 May, 1991

our file:

from: Vice-President (Academic)

your file:

subject:

I am replying to your letter of April 3, 1991 which contained a petition to uphold University hiring regulations. Your letter concerns hiring policies for faculty members, which is within the jurisdiction of the Vice President (Academic), and hence I am responding to your letter. As it appears to express concerns about the interpretation of section 48 of the GFC Policy Manual, I will focus my remarks on my interpretation of that section of the Employment Policies.

Section 48.1 contains six principles. Section 48.1.1 makes it clear that employment shall be on the basis of merit; 48.1.6 establishes a commitment on the part of the University with respect to the amelioration of conditions of disadvantaged individuals or groups within the system.

I think it is important to note that section 48.1 was amended by GFC in 1987, one amendment being the inclusion of section 48.1.6. While point 6 does not override any of the other principles, it must be read in the context of the other five, or else there would have been no reason for GFC to have agreed to its insertion. To me, the question becomes, what was the legislative intent of GFC when it approved the amendment? (The minutes of the June 22, 1987 meeting are appended for your information.)

Turning now to section 48.2.3, "Measures to Prevent Discrimination in Appointments." This section is policy designed to encourage more applications from a given gender. One also finds in the preamble to this section the following statement:

> Because women comprise the largest group of disadvantaged, the rules and regulations which follow will from time to time make specific requirements with respect to the employment of women.

I believe that this sentence should also be read in the context of the principles outlined in section 48.1. This section was also approved as an amendment to the policy in June of 1987.

My interpretation is that section 48.2.3. was designed or intended to allow principle #6 to be fulfilled, i.e., that the University should make every effort to ensure that academic positions are filled from a wide pool of applicants and every step be taken to ensure that there is, indeed, a large number of applicants. Was this the limit of the commitment? I also note in section 48.2.3 that all qualified applicants should be considered and that evaluation of applicants must be based on objective job-related criteria, both of which sentiments reflect the merit principle. In other words, to me the merit principle is the theme which flows through section 48.

Merit is captured by the statement of criteria; it is also captured by the requirement for a wide pool, including candidates from the under-represented groups. No cases could more clearly demonstrate the wisdom of the university actively seeking meritorious candidates than the ones which are presently noted as ones concerning you. Dean Patricia Clements' letter of January 1991 comprises many of the principles which are included as part of the University of Alberta's policy as outlined in section 48. This includes enlarging the pool of eligibles from disadvantaged groups and adopting the principle that qualified (one can only interpret this to mean meritorious) members of disadvantaged groups be hired unless there is a candidate who is demonstrably better qualified for the position. The establishment of goals by a department, as in the case of Religious Studies, is a statement of intent. The normal selections procedures are to be followed in accomplishing these goals.

On March 23, 1990 I wrote to all faculty with my view of section 48 and I do not see this as a deviation or departure from university policy. My letter said:

> In fact, if a male and a female candidate have essentially equal qualifications, departments have been encouraged to hire the female, in the case of most departments, to compensate for the small percentage of women in the department.

I do not see this statement or the cases you have cited as deviations from GFC policy. In instances where two candidates are essentially equal, I have to assume they are equally meritorious and a choice must be made. That choice is to be made by the advisory selection committee and a recommendation made to the dean. What has been stated is that when candidates are essentially equal, and I emphasize the word equal, then selection committees are encouraged to recommend the female candidate or one from any other of the underrepresented groups. I do not see this as encouraging a deviation from GFC policy but rather, the reverse, i.e.. a statement which allows principle number 6, to be fulfilled. Assuming that committees have performed their job properly and assuming they are confronted with making a choice between two equal candidates, then to me, principle #6 is there to assist them in making that choice. In terms of the membership of these committees, I do not believe the dean has gone beyond her authority in giving directions to departments with respect to the composition of committees which are advisory to her.

While there is no doubt there are differences of opinion on the interpretation of this section, I do not believe that the Dean of Arts or the Chair of Religious Studies have acted contrary to University policy, nor do I believe that these actions have ignored the important merit principle for the selection of academic faculty .

J. Peter Meekison
Vice-President (Academic)

DKK:dc
Encl.
cc: Deans & Chairs of All Faculties

APPENDIX K

GENERAL FACULTIES COUNCIL EMPLOYMENT POLICIES

48. EMPLOYMENT POLICIES

The Board of Governors and General Faculties Council have adopted the following policy statement with respect to the employment of staff by the University. GFC has adopted rules and regulations which serve to effect the policy statement; these are set out below, following the policy statement.

48.1 BASIC PRINCIPLES

1) Employment decisions shall be made on the basis of merit.

2) In accordance with the provisions of the Alberta Bill of Rights, the Individual's Rights Protection Act and the Canadian Charter of Rights and Freedoms, the University of Alberta is committed to the principle of equity in employment. Every individual is entitled to be considered without discrimination and in particular, without discrimination because of race, religious beliefs, color, sex, physical disability, marital status, age, ancestry or place of origin. This principle encompasses such matters as selection and hiring practices, recommendations and decisions regarding remuneration, tenure, promotion, classification, workload, assignment of duties, and access to fringe benefits.

3) Graduates of the University of Alberta shall not be excluded from competition for positions within the University.

4) Members of the immediate family of staff members may apply for, and shall be considered in competition for, positions on the University staff. All opportunities and benefits normally accruing to a position on staff will obtain where such an appointment is made.

5) In order to ensure that these principles are observed and are seen to be observed, no University employee shall be involved in an employment decision involving a member of his or her family or involving a person with whom he or she has a close personal relationship; exceptions to this rule may be made by the appropriate Vice-President where special circumstances apply.

6) The University is committed to the amelioration of conditions of disadvantaged individuals or groups within the system.

48.2 GUIDELINES FOR EMPLOYMENT PROCEDURES

48.2.1 Advertising and Recruitment

1) All regular full-time staff vacancies shall be advertised through appropriate media. Internal candidates must be given consideration.

2) Wherever possible attempts must be made to ensure that the "pools of eligibles" from disadvantaged groups have been informed.

3) All advertising must contain the statement: "The University of Alberta is committed to the principle of equity in employment."

4) For all regular full-time academic positions the following procedures apply.

   (a) Faculty: Advertisement in University Affairs and/or CAUT Bulletin and such other publications as the Dean deems desirable.

   (b) APO:

      (i) Advertisement in Folio. Other publications may also be used and such advertisements may appear simultaneously with but not prior to advertising in Folio.

      (ii) All vacant APO positions will be advertised as per 4(b)(i) above.

   This provision does not apply in instances where an incumbent's position is reclassified/converted from support staff to APO.

   This provision may be waived by the Vice-President (Academic) when an APO whose current position has been declared redundant is, by mutual consent, to be appointed to the position. The appointing officer's decision to advertise the position is not appealable. (GFC 25 JAN 1988)

   (c) Librarians I and II: Advertisement in Folio and such other publications as the Chief Librarian deems desirable. (GFC 01 MAR 1982)

   Other Librarians: Advertisement in Folio and at least one of the following publications: University Affairs, CAUT Bulletin, Feliciter, and such other publications as the Dean deems desirable.

   (d) Faculty Service Officer: Advertisement in Folio and at least one of the following publications: University Affairs, CAUT Bulletin, and such other publications as the Dean deems desirable.

5) Administrative positions (eg, President, Vice-Presidents, Deans, Department Chairmen) -- Advertisement in Folio and such other publications as the Search/Selection Committee deems desirable. When a Selection Committee decides that an administrative position can be filled by a colleague already in the academic unit it may proceed to do so without advertising the position, except in Folio as indicated above.

6) Except in the case of APO's (see 1(b) above) appointment to regular full-time academic staff positions may be made without advertising of the vacancies under the following circumstances:

   (a) if a classification system applies to the vacant position and where internal promotion is contemplated; and

   (b) if the Vice-President (Academic) waives the advertising requirement. In this case, the Vice-President (Academic) shall report these actions annually to GFC.

7) Advertising of temporary and part-time academic staff positions shall be at the discretion of the authorized appointing officer.

48.2.2 Selection Procedures

1) Full-time faculty, professional librarians and faculty service officers shall be appointed to the staff by the authorized appointing officer normally on the advice of an Advisory Selection Committee. (See Section 48.2.2.(4)5 regarding exceptions to the use of Advisory Selection Committees)

2) Selection Procedures for the appointment of other types of staff shall be at the discretion of the authorized appointing officer who may, or may not, utilize an ad hoc Advisory Selection Committee in the appointment process.

3) Where selection of academic personnel rests with bodies outside the University certain procedures must be followed. Normally, an Advisory Selection Committee is struck before nomination is made and an appointment is finalized.

4) Advisory Selection Committees

   1. Each departmentalized Faculty shall have an Advisory Selection Committee for each Department which contemplates the appointment of a regular full-time faculty member. The duty of such committees is to advise the Dean in the matter of appointments to the regular full-time faculty. Unless otherwise provided by the Faculty Council, the Composition of each committee shall be:

      (a) The Dean, or an Associate Dean, as Chair;

      (b) The Department Chair;

      (c) One or two regular full-time faculty members from the Department selected according to procedures approved by the Faculty Council;

      (d) One or two regular full-time faculty members from outside the Department selected by the Faculty Council according to procedures established by it;

(e) One representative of the relevant professional body selected by the other members of the Advisory Selection Committee and where such members consider such representation appropriate:

2. Each on-departmentalized Faculty shall have an Advisory Selection Committee. The duty of such a Committee is to advise the Dean on the matter of appointments to the regular full-time faculty. Unless otherwise provided by the faculty Council, the composition of the committee shall be:

   (a) The Dean, or an Associate Dean, as Chair;

   (b) The Head of the appropriate Division or Unit of the Faculty, where appropriate;

   (c) One or two regular full-time faculty members in the Faculty selected by the Faculty Council according to the procedures approved by it.

   (d) One or two regular full-time faculty members outside of the faculty selected by the Faculty Council according to procedures approved by it;

   (e) One representative of the relevant professional body selected by the other members of the Advisory Selection Committee and where such members consider such representation appropriate.

3. In the event that a Department Chair or Dean selection committee recommends to the Board the appointment of a candidate from outside the University, that selection committee functions as the Advisory Selection Committee for the candidate's faculty appointment as well as his or her Department Chair/Dean appointment and, therefore, replaces the committees referred to in (1) and (2) above. (See below for the composition, procedures, etc. for Department Chair/Dean selection committees.)

4. Advisory Selection Committees must be used in the following cases of appointment of regular full-time faculty:

   (a) appointment at the rank of full professor in which case the decision with respect to tenure must also be considered;

   (b) other faculty with tenure on first appointment.

5. An Advisory Selection Committee shall be used in the appointment of regular full-time faculty at the ranks of associate professor, assistant professor and lecturer unless the use of such a committee is waived, as follows:

(a) in the appointment of associate professors, waiver by the Vice-President (Academic) on the recommendation of the Dean; and

(b) in the appointment of assistant professors and lecturers, waiver by the Dean.

As indicated in (4), above, no waiver is permitted at these ranks when appointment with tenure is contemplated.

6. Normally, an Advisory Committee shall be used in the nomination and/or appointment to the academic staff where the final selection rests with a body outside the University.

7. An Advisory Selection Committee must be used in the appointment to the staff of regular full-time librarians. The purpose of such a committee is to advise the Chief Librarian in the making of such appointments. The composition of the committee shall be:

(a) the Chief Librarian, as Chair;

(b) the Division Head, if any;

(c) One regular full-time librarian from the Division involved, selected by the Chair, when the Chief Librarian feels it is appropriate;

(d) One other regular full-time librarian in the University Library, selected according to procedures approved by the Library Council; and

(e) Other professional librarians or members of teaching departments, as deemed necessary by the other members of the Committee.

(f) It is desirable that Selection Committees be as representative as possible of the academic community.

8. Unless otherwise determined by the Faculty Council, each Faculty shall have an Advisory Selection Committee to advise the Dean on appointments of Faculty Service Officers. The composition of such a committee shall be:

(a) the Dean, or designate, as Chair;

(b) the Department Chair, if any; and

(c) such other members as the Dean and Department Chair, if any, may consider necessary.

9. All things being equal, qualified candidates for an APO position currently employed by the University should be given priority in consideration for vacant positions.

10. Candidates for an APO position should not be registered students studying in the same department as that in which they will be employed as staff; exceptions to this rule may be made with the approval of the Vice-President (Academic) and of the Dean of Graduate Studies and Research. (See clause 5.10 APO Agreement.)

(GFC 23 FEB 1987)

11. Procedures to be followed by Advisory Selection Committees shall be established by the appropriate Faculty Council or by the Library Council, as the case may be.

12. See 48.2.2(2) regarding selection committees for types of staff not referred to above.

48.2.3 Measures to Prevent Discrimination in Appointments

Recognizing the desire of the University to prevent discrimination and in compliance with federal and provincial legislation the General Faculties Council reaffirms the commitment of the University to non-discrimination in employment decisions. Because women comprise the largest group of disadvantaged, the rules and regulations which follow will from time to time make specific requirements with respect to the employment of women. Accordingly, the following steps shall be taken whenever an academic staff vacancy occurs:

(a) It is anticipated that there will be instances where none, or very few, of the qualified applicants are women. In some instances none, or very few, of the qualified applicants will be men. in such cases, as early in the work of selection committees as possible, they are expected to seek qualified applicants from the under-represented sex through appropriate sources capable of providing data on the pool of available qualified persons (chairs of relevant departments; professional organizations; individuals from the under-represented sex within the profession or discipline; individuals from the under-represented sex, members of academic staff in the unit and in related units with the University).

(b) Pre-Selection Committees (where they exist) and Advisory Selection Committees must give careful and detailed consideration to all qualified applicants regardless of race, religious beliefs, color, sex, physical disability, marital status, age, ancestry or place of origin.

(c) Pre-Selection Committees (where they exist) and Advisory Selection Committees, when interviewing candidates for a vacant staff position, may not request information of religious beliefs, political affiliations, family or marital status, age, ancestry or place of origin or physical disability which could lead to discriminatory action.

The evaluation of applicants must be based on objective job-related criteria.

(d) Pre-Selection Committees (where they exist) and Advisory Selection Committees are required to report to the Dean on:

i) the pool of available qualified persons;
ii) sources consulted in the determination of this pool;
iii) the number of applications received;
iv) the qualifications and sex of all applicants if known;
v) the criteria used in determining the short list;
vi) the number of persons shortlisted, including a reference to the qualifications and sex of the persons on the short list;
vii) an explanation as to why the short list contains no members of the under-represented sex (if that is the case);
viii) resumes of the most qualified persons of the under-represented sex;
ix) the criteria used in the final selection.

(e) Upon submitting the academic appointment form to the Vice-President (Academic), the Dean will forward the above information for each appointment.

(f) Where the use of a Selection Committee has been waived the Dean is expected to provide the same information as above.

48.3 CONTRACTUAL AGREEMENTS

Where existing University contracts conflict with this policy statement, such contracts shall prevail, but as they are renegotiated, reviewed or reconsidered, the University shall encourage the inclusion in such contracts of the policies herein adopted to the end that they conform to these policies.

(GFC 28 MAY 1978)
(BG 02 JUN 1978)
(GFC 22 JUN 1987)
(BG 02 OCT 1987)

48.4 POSITION CONTROL POLICIES FOR CONTINUING STAFF

The following policies approved by PPC were RECEIVED FOR INFORMATION BY GFC on January 26, 1981:

48.4.1 Teaching and Research Faculty and Faculty Service Officers

1. In November of each year the Vice-President (Academic) will establish the number of positions in each Faculty for the following academic year, based upon priorities as established from time to time by the Planning and Priorities Committee and upon a reasonable estimate of the University's prospective budget situation. These position numbers will be reported to PPC, and will remain in effect until the next November unless they are modified by PPC because of extraordinary circumstances.

APPENDIX L

DEANS' COUNCIL

DEANS' COUNCIL

The Universities Act (1990, s. 38) requires that each university establish a Deans' Council which is advisory to the President, the Board of Governors and the General Faculties Council, and which consists of the University President "who shall be chairman," the Vice-Presidents, and the Dean of each Faculty.

With respect to University governance, Deans saw their Council as an advisory body to the President but rarely involved in actual decision making. They perceived that a number of other committees, including Priorities and Planning (PPC), Academic Development Committee (ADC), the General Faculties Council Executive and the President and Vice-Presidents' Committee had far greater line responsibilities for University decisions. The Council was seen as a vehicle for the President to "bounce ideas and directions off the Deans" but that by the time an item came to them, "the decision pretty well has been made":

> [The President] doesn't come to the Deans and say, "hey, we've got a deficit. What are we going to do about it"? He comes to the Deans and says "we've got a deficit and this is our plan. What do you think about it"?

Very few agenda items, one Dean indicated, arrived from anywhere else except from the administration: "we meet twice a month usually and discuss matters that are on his [the President's] agenda. It was revealed as well that:

> It doesn't have decision making authority.... We have a significant opportunity to give input to ... [the President's] thinking and to the administrative process. But it is an advisory body.
>
> You don't bring new programs to the Deans' meetings; you don't bring proposals for activities or problems or anything like that to the Deans.

Nevertheless, some believed that President Davenport was attempting to enhance the role of Deans' Council in University governance:

> I think Dr. Davenport is really trying to make it become something. We now meet twice monthly; we used to meet once a month and basically have lunch together and Dr. Horowitz would talk to us.

I get the feeling that he [President] would like it to be more.... They are talking about restructuring ... and maybe then ... [Deans] might get a little bit more on policy.

APPENDIX M

JUNE 19, 1991 LETTER FROM PRESIDENT PAUL DAVENPORT

University of Alberta
Edmonton
Canada T6G 2J9

Dr Paul Davenport
President
3-1 University Hall, Telephone (403) 492-3212

June 19, 1991

Dear Colleagues:

The University of Alberta has for some time been committed to employment equity. The overall goal of our equity program is a discrimination-free workplace where every employee and job applicant receives equitable treatment in recruitment, selection, training and promotion.

The University's certification under the Federal Contractors Program in 1987 is a vital component of our commitment to employment equity. This program identifies aboriginal peoples, people with disabilities, members of visible minorities, and women as groups historically disadvantaged in employment in Canada. In becoming a signatory to the program, the University of Alberta committed itself to designing and implementing an Employment Equity Plan which will, over the next ten to fifteen years, make our workforce more representative of the surrounding community. The Federal Government has requested that we provide them with a copy of our Employment Equity Plan by May of 1992.

As the attached brochure on Employment Equity, prepared by our Office of Human Rights, makes clear, "The filling of vacancies is, and will continue to be, a process based on qualifications." Our initiatives in employment equity will incorporate this fundamental hiring principle at the University of Alberta.

I am writing to let you know that with the support of the University's senior administrators, I have established a President's Employment Equity Implementation Committee. I am charging the Committee with the completion and ongoing implementation of our Employment Equity Plan. Information about the composition of the Committee is enclosed. You can see that we have attempted to ensure that all the major players in the development of employment policies at the University of Alberta will be involved. I have asked the Office of Human Rights to coordinate the work of the Committee.

Information sessions have been scheduled by the Office of Human Rights begining mid-July through August, 1991. These sessions will explain in detail the requirements of the Federal Contractors Program and provide time for questions and discussion. Notification of specific dates and locations have been included.

I have enclosed some materials pertaining to employment equity which you may find useful and I would encourage you to attend one of the presentations. The development of an Employment Equity Plan is an important step towards achieving fair representation at the University of Alberta.

If you have any questions regarding this initiative please contact Fran Trehearne at the Office of Human Rights at 492-7326.

Sincerely yours,

Paul Davenport

Paul Davenport

APPENDIX N

CHRONOLOGY OF MAJOR EVENTS RELATED TO EMPLOYMENT EQUITY IMPLEMENTATION AT THE UNIVERSITY OF ALBERTA

APPENDIX N

CHRONOLOGY OF MAJOR EVENTS RELATED TO EMPLOYMENT EQUITY IMPLEMENTATION AT THE UNIVERSITY OF ALBERTA

Spring, 1972	Dr. Jean Lauber examined the representation of women among University of Alberta academic staff and reported the findings to the Association of Academic Staff.
Spring, 1973	The University Women's Club asked the University Senate to examine whether or not women were discriminated against at the University.
March, 1975	The Senate Task Force on the Status of Women released its *Report on Academic Women* with 15 recommendations. The report concluded that discrimination against academic women on the basis of sex did exist.
1975	The Academic Women's Association was established as a formal organization under the *Societies Act*.
September, 1975	A section on "measures to prevent discrimination against women" was added to the *General Faculties Council Policy Manual*.
June, 1976	An Equal Opportunities Committee was established as a standing committee of the General Faculties Council for the purpose of investigating and bringing forward proposals for improving the status and numbers of women in all faculties.
September, 1977	The Committee for the Systematic Review of the Salary/Rank History of Academic Women presented its report to the Vice-President (Academic) and Deans and, in response, 51 academic women received salary increases.
May, 1978	The GFC Policy Manual was amended to stipulate that the University of Alberta was committed to the principle of equal opportunity in employment and that position advertisements were to indicate that the University was an equal opportunity employer. Further, Deans were urged to provide information on the numbers of applications for academic positions received from males and females.
April, 1982	The Women in Scholarship, Engineering and Science Task Force (WISEST) was established by Vice-President (Research) Gordin Kaplan.
June, 1982	The Equal Opportunities Committee of the General Faculties Council was disbanded on the basis that GFC did not have a mandate to examine issues such as equal opportunities or human rights unless within an academic context. It was agreed that the Committee would be replaced by *ad hoc* committees appointed by the President

from time to time.

July, 1982	William M. Mercer consultants submitted to the Board of Governors a report with 32 recommendations on the Status of Non-Academic Women at the University of Alberta.
February, 1983	An Innovative Work Patterns Committee presented its final report to the Senate but omitted an earlier recommendation for more publicity about alternative job patterns already available to academic staff members.
November, 1984	President Horowitz established a President's Interim Advisory Committee on Women's Issues.
April, 1985	The Academic Women's Association released A Ten-Year Review of The Senate Task Force on the Status of Women: Report on Academic Women. The report concluded that although some of the Senate's original recommendations had been addressed, many had yet to be dealt with.
May, 1985	In a Convocation speech, President Horowitz indicated the University's intention of proceeding with the development of a system of equal remuneration for equal work for non-academic staff.
October, 1985	Judge Rosalie Abella conducted workshops for University of Alberta administrators and others on employment equity in the university context and on the federal government's intentions in this area.
November, 1985	Vice-President (Academic) Peter Meekison established a Faculty Enhancement Program which originally made available a total of $50,000 for additional recruitment and other efforts to increase the numbers of women faculty.
December, 1985	Stevenson, Kellogg, Ernst and Whinney Management Consultants were hired to undertake a study for the development of a new classification system incorporating equal pay for work of equal value for non-academic staff.
March, 1986	The Association of Academic Staff established a Women's Issues Committee as a standing committee of the Association for the purpose of developing policy recommendations on matters pertaining to women faculty.
July, 1986	President Myer Horowitz appointed Professor Doris Badir as Special Advisor to the President on Equity Matters.
August, 1986	University of Alberta administrators were made aware for the first time of the Federal Contractors Program and its application to universities.
November, 1986	Equity Advisor Doris Badir reported to Convocation on the University's commitment to equality of opportunity for all

disadvantaged groups and asked for the University community's support towards achieving that goal.

March, 1987	President Horowitz signed the Certificate of Commitment to Implement Employment Equity under the terms of the Federal Contractors Program.
May, 1987	A professional development workshop on employment equity, for academic staff and other interested individuals, was organized jointly by the Equity Advisor and University Secretariat.
June, 1987	Major amendments to Section 48 of the General Faculties Council Policy Manual were made, including the addition of statements that the University was committed to the principle of equity in employment and to the amelioration of conditions of disadvantage of individuals and groups within the system.
Fall, 1987	Recruitment Process Forms and Applicant Survey Forms, developed by the Equity Advisor, were approved for use by General Faculties Council and the Board of Governors.
October, 1987	The Equity Advisor spoke to the Association of Academic Staff about the Federal Contractors Program and its implications.
March, 1988	A Senate Progress Review Committee presented a 1987 Progress Review Report: Task Force on the Status of Academic Women. The report concluded that systemic discrimination continued to exist and that full equality of opportunity in employment would take ongoing dedication and effort.
March, 1988	President Horowitz acknowledged to the Senate the University's agreement to comply with federal employment equity requirements. This first public statement on the matter by the President was reported in Folio.
April, 1988	The Equity Advisor conducted a census to determine the numbers of designated group members within the University workforce.
May, 1988	A second professional development workshop for academic staff on implementing employment equity was organized by the Equity Advisor and the University Secretariat.
Spring, 1989	A job reclassification and pay equity system for non-academic staff announced in February was met with considerable hostility by non-academic staff. The President, in March, established a Pay Equity Review Committee which reported in June that an incomplete and faulty plan had been proposed in February.
March, 1989	A memo from the Vice-President (Academic) and the President of the Association of Academic Staff was circulated to all academic staff along with a booklet called Seeing and Evaluating People ("blue

	book"). The memo interpreted University employment equity policy as meaning that if a male and female candidate for an academic position are equally qualified, then preference should be given to the woman.
May, 1989	The "Merit Only" Group, comprising individuals opposed to the use of any factors other then "merit" in academic hiring and promotion decisions, was established.
May, 1989	The Association of Academic Staff received from the Women's Issues Committee suggested wording for a parental leave clause for inclusion in the Faculty Agreement. The leave would include a 6 week childbirth leave and a 17 week parental leave available to either parent.
September, 1989	President Paul Davenport created a Committee on Job Evaluation Review to oversee the completion of the job reclassification system for non-academic staff. The President also outlined, in the September 22 edition of Folio, what he believed constituted the University's employment equity policy. According to his interpretation, employment equity at the University meant: (a) non-discriminatory employment practices; (b) hiring and promotion based only on qualifications; (c) an aggressive policy of seeking applications from underrepresented groups; and (d) a fair structure of job classification and pay.
November, 1989	A report on the Temporary Academic Staff at the University of Alberta: Interim Discussion Paper - November 1989 identified a two-tiered system of academic appointments and proposed options for improving the working conditions and career aspirations of sessional academic staff. On November 27, President Davenport again articulated his interpretation of employment equity policy at the University, reasserting his stance that only the best qualified applicants would be offered positions and that gender and other characteristics would have no role in decisions for hiring, promotion and tenure.
December, 1989	President Davenport established the President's Commission for Equality and Respect on Campus to examine conditions contributing to inequality and lack of respect within the University community and to recommend strategies to create an environment reflecting values of equality and respect.
Spring, 1990	A brief to the President's Commission for Equality and Respect on Campus prepared by the Association of Academic Staff Executive and Council was never officially submitted to the Commission. A general meeting of the Association to discuss the brief, called by a group of petitioners opposed to the brief, delayed its approval until past the submission deadline date.

May, 1990	The Executive and Council of the Association of Academic Staff accepted a proposal from the Women's Issues Committee to develop a policy statement on employment equity for possible consideration by the Association as official AAS:UA policy.
June, 1990	Changes to the "advertising and recruitment" section of the GFC Policy Manual were introduced requiring advertisements for academic positions to contain the statement that the University encouraged "applications from aboriginal persons, disabled persons, members of visible minorities and women."
July, 1990	The Report of the President's Commission for Equality and Respect on Campus was released.
August, 1990	President Davenport announced the creation of an Office of Human Rights in response to the President's Commission's recommendations. Later that fall, a full-time Director and a half-time Human Rights Officer were appointed.
April, 1991	A "Petition to Uphold University Hiring Regulations" was circulated to protest the acceptance by certain Deans and departments of the President's Commission recommendation that candidates from the designated groups should be hired unless other candidates were demonstrably better qualified. The petition was sent to President Davenport on April 3.
May, 1991	Vice-President (Academic) Peter Meekison responded to the April petitioners on May 6 explaining that the University was committed to the amelioration of conditions of disadvantage among individuals and groups and that GFC policy allowed for the preferential hiring of qualified members of disadvantaged groups unless other candidates were demonstrably better qualified.
May, 1991	The University received an official request from Employment and Immigration Canada to review the University's employment equity plan as required under the Federal Contractors Program. In response to the University's reply that it did not yet have one, the federal government gave the University one year to develop such a plan.
June, 1991	President Paul Davenport wrote an open letter to the University community on June 19, 1991 explaining for the first time the University's certification under the Federal Contractors Program and indicating the University's intention of complying with the requirement to develop an employment equity plan. In the same communication, the President listed members of a newly-formed employment equity implementation committee, chaired by a representative of the President.